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IN

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YEARS 1827 AND 1828.

By CAPTAIN BASIL HALL, R. N.

F. R. S.

IN THREE VOLUMES.

VOL. II.

THIRD EDITION.

EDINBURGH:

PRINTED FOR ROBERT CADELL, EDINBURGH;

AND SIMPKIN AND MARSHALL, LONDON.

MDCCCXXX.

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TRAVELS

IN

NORTH AMERICA.

Of all kinds of navigation that by steam is certainly the most unpleasant. There is, I fear, but a choice of miseries amongst the various methods of travelling by water, while that which is present, like pains in the body, seems always the very worst. The only way to render the sea agreeable, is to make it a profession, to live upon it, and to consider all its attendant circumstances as duties. Then, certainly, it becomes among the most delightful of all lives. I can answer, at least, for my own feelings in the matter, for I have gone on liking it more and more every day, since I first put my foot on board ship, more than six and twenty years ago.

But it is a very different story when the part of a passenger is to be enacted—a miserable truth which holds good whether the water be salt or fresh, or whether the vessel be moved by wind, or steam, or oars. Fortunately our passage down Lake George was in the day-time, for just as we had reached almost the end of this splendid piece of water, we heard a fearful crash—bang went the walking beam of the engine to pieces, and there we lay like a log on the water. But the engineer had no sooner turned off the steam, than the prodigious fizzing, together with the sound of the bell, which was instantly set a-ringing, aided by the shouts of the crew, gave alarm to those on shore.

In a few minutes half a dozen boats shot out from under the high bank near the village of Caldwell, and towed us speedily to land. This was a shortlived distress, therefore, and rather picturesque and interesting upon the whole, as the twilight was just about to close, and the magnificent scenery of Lake George, being reduced to one mass of deep shade, became still more impressive, I thought, than it had been even in full daylight.

But we had experienced the true joys of a steam-boat during the previous night when making the voyage from North to South along Lake Champlain. The machinery was unusually noisy, the boat weak and tremulous, and we stopped, backed, and went on again, at no fewer than eleven different places, at each of which there was such a racket, that it was impossible to get any rest. If a passenger did manage to doze off, under the combined influence of fatigue, and the monotonous sound of the rumbling wheels, which resembled eight or ten muffled kettle-drums, he was sure to be awakened by the quick "tinkle! tinkle!" of the engineer's bell, or the sharp voice of the pilot calling out "Stop her!" or he might be jerked half out of his birth by a sound thump against the dock or wharf. If these were not enough, the rattle and bustle of lowering down the boat was sure to banish all remaining chance of sleep.

In the cabin there was suspended a great staring lamp, trembling and waving about, in a style to make even a sailor giddy. While underneath its rays were stretched numberless weary passengers—some on mattresses spread on the deck, others on the lockers, or on the bare planks—the very picture of woe, like the field of battle after the din of war has ceased. Amongst these prostrate objects of compassion, various stray passengers might be seen picking their way, hunting for their bags and cloaks, and talking all night, in utter disregard of the unhappy wretches cooped up in the sleepless sleeping-births round about them. At every stopping place, fresh parties either came on board, or went away, or both, so that the overcrowded cabin was one scene of buzz! buzz! during this very long night.

I went upon deck once or twice, when worried almost to death by the incessant bustle, but the scenery was not very interesting; for though the moon was only a little past, or a little before the full, I forget which, and the sky overhead clear and sparkling, the lower atmosphere was filled with a muggy sort of red haze or smoke, arising, I was told, from the forests on fire, which gave a ghastly appearance to the villages and trees, seen through such a choky medium. On one occasion only, when this mist cleared off a little, I was

much struck with the appearance of a town near us, and I asked an American gentleman what place it was. "Oh! don't you know? That is Plattsburgh—and there is the very spot where our Commodore Macdonough defeated the English squadron."—I went to bed again.

On the 9th of September, we drove to Saratoga Springs from Caldwell, a distance of twenty-seven miles, which cost us nine hours jolty travelling over hilly roads, in a most intensely hot and dusty day. On driving up to the door of an immense hotel, called the Congress Hall, the steps of the carriage were let down by a very civil sort of gentleman, whom we took for the master of the house, or at least the head waiter, and were much flattered accordingly; but the question he asked dispelled these visions of prompt reception. "Pray, sir," he asked in great haste, "do you go away to-morrow morning?"

"To-morrow morning? No! what put that in your head?"

"Do you go in the afternoon then, sir?"

"Not I, certainly," was my answer; "but what makes you in such a hurry to set us a-going again, when we are tired to death and half choked with dust?"

Before he could muster a reply, or put another question, a smart, brushing kind of man, with a full

drab coat reaching to the dust, stepped in between us, and with more bows in two minutes than I had seen altogether since landing in America, wished us a dozen good days and congratulations on our return from Canada, and reminded me of a promise I had made to employ him if I should want his assistance.

"Well!" said I, trying to get past, "what is it you would be at? I don't want any thing but a little rest and some dinner."

"O yes, to be sure, sir," said both these busy gentlemen at once; and pulling out cards from their pockets, let me understand that they were rival stage proprietors on the line of road between the Springs and Albany. In our subsequent journeys amongst the woods, we often thought, with a sigh, of this solitary instance of empressement, and would have given a great deal, sometimes, to have been thus encumbered with help. It did so happen, by the way, that we met one of these obliging personages again, far away in the south, after we had travelled more than a thousand miles from this spot; when we learnt that he was a complete bird of passage,—carrying his horses and carriages to the south in the winter; and accompanying the flock of travellers back again to the north as soon as the sickly season set in at Charleston.

As the dinner hour was past, we had to wait a

long while before we got any thing to eat. This we had expected; but our disappointment was more serious and lasting when we found that nearly all the company had gone away not only from this watering-place, but also from Ballston, another fashionable resort of great celebrity in the neighbourhood. During the hot season of the year—when the greater part of the United States becomes unhealthy, or otherwise disagreeable as a residence, even to the most acclimated natives, as the local expression is—the inhabitants repair to the North, to these two spots in particular, which are consequently much crowded during July and August, and sometimes during September. A few days of cool weather, however, had occurred just before we arrived, which acted as a signal for breaking up the company, so that when the great bell rung for supper, the whole party consisted of only fourteen, instead of a hundred and fifty, who had sat down ten days before.

Had we been sooner aware of the chance of missing the company at the Springs, we might perhaps have managed to pay our visit at a better moment, as such a meeting of the inhabitants from all the different States would have been a sight extremely interesting to strangers. I was also curious to see how the Americans, a people so eternally occupied and wound up to business, would

manage to let themselves down into a state of professed idleness.

Lake George, Saratoga, and Ticonderoga, which we visited, are all classical and popular spots in American history, while their names will doubtless recall many painful recollections to English persons, who are old enough to remember the unfortunate details of the American revolutionary war. But, of course, it is far otherwise in a country, where all the circumstances connected with that important event are treasured up in the memory, to be brought forward as subjects of triumph upon every occasion. There they furnish a never-ending theme of rejoicing, especially to the company at the Springs, whose guide-books are full of the details of General Burgoyne's surrender, and our other mishaps at Saratoga. The names even of the subordinate officers who figured in those days, are taught by a kind of catechism at the schools, in order to render them familiar to the memory of every American, of whatever age or sex.

There is certainly no harm in this—it is quite natural and proper—and as their history is short, and fertile with incidents of a nature pleasing to their national vanity, it would be the most unreasonable thing in the world for a stranger to complain of, however often, or however disagreeably, it may happen to cross his path.

On the other hand, the Americans ought, I think, to remember, that good reasons may perhaps exist for our little acquaintance with such matters; yet I have often met with people in that country who could scarcely believe me sincere, and thought I must be surely jesting, when I declared my entire ignorance of many military and political events of the period alluded to, so momentous to them, however, that every child was familiar with their minutest details. And they would hardly credit me when I said I had never once heard the names of men, who, I learnt afterwards, were highly distinguished, on both sides, during the revolutionary war.

The same remark applies to every part of our very limited knowledge of America, and all her concerns past and present; and while the inhabitants of that country suppose themselves—with what degree of justice may perhaps be gathered from the sequel—to be minutely acquainted with every thing which has passed or is now passing in England, they have no patience for the profound state of ignorance in which the English confessedly remain with respect to them.

I must say, that I have always thought this sort of soreness on their part a little unreasonable, and that our friends over the water give themselves needless mortification about a matter, which

it would be far more dignified to disregard altogether. I say this with the more confidence, because I hardly ever conversed with a reasonable American on the subject, who, when it was fairly put to him, did not give his assent to this view of the case.

The Americans always forget—though perhaps it is natural they should do so—that while, on their side of the question, no theme can be more gratifying than the war alluded to—so glorious to them, but so disastrous to us—it is utterly out of nature to expect that we should view it, or any part of it, in the same light. Philanthropic, public-spirited, speculative citizens of the world, the philosophers of the present age, even in England, may declare that all is for the best, and that free and independent America is far more useful to other nations, generally, and to England in particular, now, than she was when a colony, or could ever have become had she not fallen away from her allegiance. Possibly this may be true. I should be very happy to admit it. This is not, however, the point at issue, and the speculation may be passed by at present; for my object is merely to show, independently of all abstract reasoning, how it comes about, that we are so ignorant of American history, and, generally speaking, of all the internal affairs of a country with which, at first sight, it may be

supposed we ought, on many accounts, to have no inconsiderable acquaintance.

Whether, upon the whole, it is better or worse for us, in a speculative point of view, that we lost the colonies, the mortifying fact is, we did lose them, after a contest in which we were worsted. We tried to keep them, and we could not; or, at all events, we did not. Consequently, as far as the mere struggle goes, its details cannot be considered very inviting as historical incidents for Englishmen to dwell upon. Our sires and grandsires who lived in those days, who had friends and relatives engaged in the contest, or who merely marked the progress of the war, from its first disaster to its ultimate failure, have had little pleasure in recounting to the present generation events so mortifying to our national vanity: and we, who were then either not in being, or mere children, could have no agreeable motive, as we grew up, to tempt us to investigate such a subject for ourselves, or to listen to the tale told us by our seniors, in the bitterness of their spirit. Even if we did hear it spoken of by them, it was always in terms which never encouraged us to push our enquiries further, or disposed us to think very kindly of the new countries, which had gained their point in spite of all our efforts to the contrary.

Thus it has happened, that in America the original

actors in the scene, their children, and the race that has since grown up, have been stimulated by a thousand inspiring motives to dwell constantly, and with delighted interest, upon the minutest details of that period—to speak and to listen to all that could be said—to fight all the battles, and slay all the slain, over and over again—in order, as they allege, to draw practical inferences from the events of those days applicable to the present state of affairs. While we, on this side of the Atlantic, in the old Mother Country, who have been robbed of our young, are not only left without any encouragement to speak or think of such things with pleasure at this hour of the day, but, in times past, have been deterred by every motive of national and of personal pride acting in concert, from making such enquiries.

It is a very true and schoolboy maxim in the theory of education, that no part of history should be neglected merely because it may chance to be unpalatable; but as there is nothing so congenial to the mind, or which acts so steadily upon it, as the removal of ideas affording rather pain than pleasure, the neglect of that branch of study relating to the American Revolution, and the intervening political events, has followed, I suspect inevitably, in England. Possibly it might have been otherwise, though even this I do not think very

probable, if the interval which has elapsed since the year 1783—the date of the American Peace—had been a mere commonplace leaf in history; or if we had imitated America in making it an avowed point of national policy, to take as little share as possible in the events which were passing in Europe during that turbulent period.

The question is not, who was right or who was wrong, but how stands the fact? The French Revolution, within a few years after the American war, burst out like a volcano at our very doors, and, as a matter of necessity, from which there was absolutely no escape, engrossed all our thoughts. Then came the rise of Napoleon, followed by hostile coalitions of mighty empires—threats of invasion of our own shores—and the destruction of our allies. Presently arose, to cheer our prospect, numberless actions of an opposite character, by land and by sea—from Seringapatam to Waterloo, from the First of June to Trafalgar—East Indian conquests—the Peninsular war—and the Campaigns on the Continent. These great events, it must be remembered, were not transient in themselves, or in their consequences, but endured from year to year, in dreadful trials of national strength, without any intermission of excitement, through the greater part of the lives of the present generation; and I will now ask—as I have often asked—any

candid American, how it would have been possible for us to look across the murky tempest of such days, in order to take a distinct view, or any view at all, of a country lying so far from us as America, which, professedly, and upon principle, took almost no share in these absorbing topics, calculated to brace every nerve, and to call into energetic exercise every faculty of our minds!

Various other circumstances contributed to remove America from our thoughts, besides the political fact of her citizens choosing to keep, personally, so completely aloof from us, and from all—good or bad—which concerned the rest of the world. In the first place, their form of government, and the manner in which it was administered, so far as these were brought to our notice by the slight intercourse kept up between us, had nothing in them to attract our good-will, but, on the contrary, were repugnant to all our preconceived notions on these subjects,—notions which had grown with our strength, and flourished with our success, and whose soundness occasional failures, such as that in America, only tended to establish more firmly in our minds.

In the next place, the Americans took no pains, or, if they did, they failed in making us acquainted, in a popular way, with what they were actually doing. They contributed no great share to the

general stock of Letters, little to our stock of Science, and scarcely any thing of importance to that of the Fine Arts; while, according to all our views of the matter, they had actually made a retrograde movement in the principles and practice of government. Neither do I think it will be contended, even by themselves, that they added much to what was already known in Europe, as to the philosophy of manners, of morals, or of any other branch of intellectual refinement. Thus, they cannot, or, when brought to close quarters, they seldom deny, that they have done scarcely any thing as yet to attach us to them, by the ordinary means through which other nations have been cemented together in cordial alliance of kindred sentiment, however torn apart, occasionally, by political contests. In the case of France, for example, though it has long been the popular fashion to call us natural enemies, there exists permanently, through the hottest wars, a spirit of generous rivalry and of cordial international respect, which both parties delight to cherish—but of which, alas! there are but feeble traces in our relations with America—and not the slightest spark, I greatly fear, in theirs with us.

What might have been the result at this day had their form of government, and its practical operation, together with the frame-work of their society,

been less repulsive to English feelings and habits of thought on such matters, I do not say—nor is it my purpose now to enquire whether or not they are to blame for having contributed so little to our knowledge, or for having taken so small a share in the struggles for the cause of liberty in which we were engaged. The well-known facts above stated, are all I wish to dwell upon at present. They are as undeniable, as their consequences have been inevitable; and as long as things remain in America in their present state, the circumstances I have referred to will be, as I conceive, also quite irremediable. The artificial structure of society in the two countries is, besides, so dissimilar in nearly all respects; and the consequent difference in the occupations, opinions, and feelings of the two people, on almost every subject that can interest either, is so great, and so very striking, even at the first glance, that my surprise is not why we should have been so much estranged from one another in sentiment, and in habits, but how there should still remain—if indeed there do remain—any considerable points of agreement between us.

It will place this matter in a pretty strong light to mention, that during more than a year that I was in America—although the conversation very often turned on the politics of Europe for the last thirty years—I never, but in one or two solitary

instances, heard a word that implied the smallest degree of sympathy with the exertions which England, single-handed, had so long made to sustain the drooping cause of freedom.

It will be obvious, I think, upon a little reflection, how the same causes have not operated in America to keep her so entirely ignorant of England, as we in England are of America.

Nearly all that she has of letters, of arts, and of science, has been, and still continues to be, imported from us, with little addition or admixture of a domestic growth or manufacture. Nearly all that she learns of the proceedings of the other parts of the world, also comes through the same channel, England—which, therefore, is her chief market for every thing intellectual as well as commercial. Thus, in a variety of ways, a certain amount of acquaintance with what is doing amongst us is transmitted, as a matter of course, across the Atlantic. After all, however, say what they please, it is but a very confused and confined sort of acquaintance which they actually possess of England. There was, indeed, hardly any thing in the whole range of my enquiries in the United States, that proved more different from what I had been led to expect, than this very point. At first I was surprised at the profundity of their ignorance on this subject; though I own it is far short of our ignorance of

them. I was also wellnigh provoked at this sometimes, till I recollected that an opinionated confidence in our own views, all the world over, is the most prominent characteristic of error. The Americans, of course, very stoutly, and I am sure with sincerity, assert their claims to infallibility on this point, and accordingly, they receive, with undisguised incredulity, the more correct accounts, which a personal familiarity with both countries enables foreigners to furnish.

I learnt in time to see that similar causes to those already stated, though different in degree, in addition to many others, were in action in America, to render England as ungrateful a topic with them, as America is undeniably with us. The nature of the monarchical form of government, with its attendant distinctions in rank, we may suppose, is nearly as repugnant to their tastes as Democracy is to ours. The eternal recollections, too, of all the past quarrels between us, in which—probably for want of any other history—they indulge not only as an occasional pleasure, but impose upon themselves as a periodical duty, and celebrate accordingly, with all sorts of national rancour, at a yearly festival, render the Revolutionary war in which they succeeded, nearly as fertile a source of irritation to them, with reference to poor Old England, though the issue was successful, as its disasters formerly

were to us, who failed. But there is this very material, and, I take the liberty of saying, characteristic difference between the two cases:—we have long ago forgotten and forgiven—out and out—all that has passed, and absolutely think so little about it, that I believe, on my conscience, not one man in a thousand amongst us knows a word of these matters, with which they are apt to imagine us so much occupied. Whereas, in America, as I have said before, the full, true, and particular account of the angry dispute between us—the knowledge of which ought to have been buried long ago—is carefully taught at school, cherished in youth, and afterwards carried, in manhood, into every ramification of public and private life.

If I were asked to give my countrymen an example of the extent of the ignorance which prevails in America with respect to England, I might instance the erroneous, but almost universal opinion in that country, that the want of cordiality with which, I grant, the English look upon them, has its source in the old recollections alluded to. And I could never convince them, that such vindictive retrospections, which it is the avowed pride and delight of America to keep alive in their pristine asperity, were entirely foreign to the national character of the English, and inconsistent with that hearty John Bull spirit, which teaches them to for-

get all about a quarrel, great or small, the moment the fight is over, and they have shaken hands with their enemy in testimony of such compact.

At the same time, I cannot, and never did deny, that there existed amongst us a considerable degree of unkindly feeling towards America; but this I contended was ascribable, not by any means to past squabbles, recent or remote, but almost exclusively to causes actually in operation, in their full force, at the present moment, and lying far deeper than the memory of those by-gone wars, the details of which have long been forgotten, even by the few eye-witnesses who remain, and about which the English of the present day are either profoundly ignorant, or—which comes to the same thing—profoundly indifferent. Be the causes, however, what they may, the curious fact of our mutual ignorance is indisputable. At least so it appears to me; and I have good reason to believe, that such is the opinion of almost every foreigner, Continental, as well as English, who has visited America. We, however, in England, as I have said before, frankly and fully admit our very small acquaintance with that country; whereas the Americans, probably with as much sincerity, proclaim their perfect acquaintance with England. The conclusion is odd enough: both parties are satisfied—they are convinced that they know all about us; and we are

perfectly conscious that we know nothing about them.

While, therefore, I may perhaps indulge myself in the expectation of being able to furnish some slight information to people on this side of the water respecting that country, I have had far too much experience of the hopeless nature of the converse of the proposition, to attempt changing the opinions of the Americans as to what is passing in England. On this topic, indeed, to use the words of Burke in speaking of another nation, the inhabitants of the United States are, it is to be feared, pretty nearly—reason-proof.

CHAPTER II.

THE hotel in which we found ourselves lodged at the Springs of Saratoga, was of great magnitude, as may be inferred from the size of the verandah or piazza in front, which measured eighty paces in length, and twenty-five feet in height. The public rooms, also, were large and handsome, and no fewer than 120 beds were made up in this one building. But with all this show, there was still some want of keeping, and many symptoms of haste, in every thing, indicated chiefly by the absence of innumerable minor luxuries. On the day we arrived, for example, we wished one of the windows of the dining-room kept open; but there had not yet been time to place any counterpoises, nor even any bolts or buttons to hold it up. The waiter, however, as usual, had a resource at hand, and without apology or excuse, caught up the nearest chair, and placing it on the window sole, allowed the sash to rest upon it. The bed-rooms, too, were

uncomfortable little raw sorts of places, fourteen feet by ten, without a bit of paper or carpeting, and the glass of the windows was so thin it was apt to break with the slightest jar. Not one of these cabins was furnished with a bell, so that when the chambermaid was wanted, the only resource was to proceed to the top of the stair, and there pull a bell-rope, common to the whole range of apartments.

It is true, we were at the Springs after the season was over; and, therefore, saw nothing in the best style. But I must describe things as I found them, in spite of the explanations and apologies which were showered upon me whenever any thing, no matter how small or how great, was objected to. I grant that it would be unreasonable to make these trifles and many other and graver things, matters of criticism in so young a nation, were not claims put forth by the inhabitants to the highest degrees of excellence.

The truth seems to be, that no one, in that busy country, has leisure to attend effectually to the completion of any given job. Instead, therefore, of carrying their works to their most perfect stage, they always stop at that point, when the business in hand has reached that condition which is most certain of procuring for it a ready market—that is, when it has reached the degree of excellence suit-

ed to the average taste of the consumers. If producers go beyond this mark, they are never sure of finding any sale, certainly not a quick one:—and if they fall short of it, they will inevitably be outstripped by their competitors, in the hurried markets of a country, where nothing is allowed to remain long on hand.

Where the society of a country is divided into distinct classes of consumers, as in England, there will always be corresponding classes of producers likewise; and the competition will not be spread over the whole mass, but divided in lots, as it were, amongst workmen of different qualities, respectively. The higher degrees of tradespeople, as a set apart from the rest, will compete amongst one another only, without knowing, or at least without caring, what is done by others in the same line, who deal in lower-priced or inferior goods. With these superior tradesmen alone the wealthier description of customers will ever dream of dealing. This order of competition and of purchasers is observed in the other steps or ranks in the scale of society in England—the one set always running by the side of the other, from the highest to the lowest. But in America, where there is no classification amongst the inhabitants, and very little permanent distinction of any kind, properly so called, even of wealth, the stream of com-

petition follows a totally different course. As there are no steady wealthy customers, so there are no steady superior tradesmen; and the grand object of the competitors comes to be, at all hazards, to lower the price, so as to ensure purchasers, by the cheapness rather than the goodness of their articles. I do not say, that in America there are no differences of wealth. Such distinctions do, more or less, exist; and there must, of course, often occur individual purchasers willing and able to give high prices for good things. But, in consequence of the structure of society, which prevents the transmission of fortunes in a fixed line of descent, and its gradual accumulation, all the money in that country changes hands so rapidly, that there cannot possibly spring up a permanent wealthy class, or one whose habits of regulated expense, and fastidious taste, have time to establish themselves, and who come by practice to consider refinements and luxuries as necessaries of life, and essential attributes to their rank in the country. Therefore, as there is no adequate and permanent demand for the higher description of goods, there can be no steady supply.

On the 11th of September, we observed in the Piazza of the Hotel at Saratoga, a piece of paper stuck up with this notice,—"This house will be closed for the season, on Saturday next, the 15th

inst." Accordingly, taking the hint, we resolved to move off, though we found the quietness of the Springs—now entirely deserted—very agreeable, after the turmoil and excitement we had recently been exposed to. By making a slight round, we were enabled to take Ballston in our way; but as that very pretty watering-place was likewise deserted, we drove on to Albany, and, after an absence of exactly three months, took up our old quarters in that capital, or rather seat of government;—for it is difficult to conceive any other town than New York the capital of the State.

I was glad to find the legislature in session, as I had a great curiosity to see how the public affairs were managed. The object of the present meeting, it is true, was not to transact the ordinary business of the State, but to revise the laws—a favourite employment all over the Union. But I had ample means, during a fortnight's stay at Albany, of seeing how things were conducted, as innumerable incidental discussions arose out of the matter in hand, to show the current modes of proceeding.

Each of the Twenty-four States of the American Union has a separate government, by which its own affairs are regulated. By the Constitution established after their separation from the Mother

Country, a republican form of government is not only made a condition of the compact, but is guaranteed to the different States by the united voice of the whole; each one, however, being left entirely free to modify its own particular constitution, and to make and unmake, or alter laws, at their good-will and pleasure—in short, to do all that sovereign states may perform, provided only they do not interfere with certain matters, specifically appropriated as the duty of the general, or federative government of the Union.

I shall have frequent occasion, in the course of the Journey, to refer to these distinctions—at present I mean to speak only of New York, which is the most populous, wealthy, and, in many respects, the most important of the whole. This State had recently adopted a new Constitution—remodelled from that adopted in 1777,—and it came into operation on the 1st of January, 1823. By this instrument, the Legislative power is vested in a Senate and House of Assembly; the Senate, consisting of 32 members, who must be freeholders, chosen for four years; and the House of Assembly, consisting of 128 members, who are elected annually by the whole people of the State, the right of suffrage being universal.

I was extremely curious to see how a Legislature formed on such principles would proceed, and I

visited the Capitol with the truest wish to be well pleased with all I saw and heard. The hall of the House of Assembly was not unlike the interior of a church; with a gallery for strangers, looking down upon a series of seats and writing-desks, ranged on the floor in concentric semicircles, the Speaker's chair being at the centre, and over his head, of course, the large well-known picture of General Washington, with his hand stretched out, in the same unvaried attitude in which we had already seen him represented in many hundreds, I might say thousands, of places, from the Capitol at Albany to the embellishments on the coarsest blue china plate in the country. Each member of the House was placed in a seat numbered and assigned to him by lot on the first day of the Session.

After prayers had been said, and a certain portion of the ordinary formal business gone through, the regular proceedings were commenced by a consideration of chapter IV. of the Revised Laws. It appeared that a joint committee of the two Houses had been appointed to attend to this subject, and to report the result of their deliberations. The gentlemen nominated had no trifling task to perform, as I became sensible upon a farther acquaintance with the subject. All the existing Laws of the State, which were very voluminous, were to be compared and adjusted so as to

be consistent with one another; after which, the result was printed and laid before the Legislature; —so that each chapter, section, and clause, might be discussed separately, when, of course, the members of the Committee of Revision had to explain their proceedings.

Some of the chapters were so completely matters of form, and related to topics upon which no particular interest was felt, that they passed without any opposition. Others, again, which it was supposed would cause no discussion, proved sources of long debate. On the first day I attended, I was sorry to hear from an experienced friend, that in all probability there would be no discussion, as the chapter, No. IV., which related to "the rights of the citizens and inhabitants of the State," was one so perfectly familiar to every native, that it must pass without delay. When the 3d section, however, came to be read by the clerk, as follows, a subject was started which led the assembled Legislators a fine round. "A well-regulated militia," said this clause, "being necessary to the security of a free State, the right of the people to keep and bear arms cannot be infringed." Upon this being read, a member rose, and objected to the article as illogical in itself; and even granting it were altered in this respect, it was totally needless, as the same clause was distinctly given,

not only in the Constitution of the United States, but in that of the State of New York; and, finally, it was quite out of place in the Statute Book. This appeared simple enough; but another member got up, and vehemently defended the Revisers of the Laws for having brought forward this chapter, and this particular section; adding, that if ever the Americans relaxed in their exertions and reiterated declarations of what were their rights, their liberties would be in danger. A third gentleman followed, and declared himself so much of the opinion of the first speaker, that he should move, and accordingly he did move, that the whole chapter relating to the rights of the citizens, be rejected, as out of place. This led to a warm discussion by four or five members, none of whom spoke above a few minutes, excepting one gentleman, who addressed the House, now in "Committee of the whole," as it is called, no less than five times, and always in so diffuse and inconsequential a style, that I could with difficulty comprehend how he had earned the reputation of a close reasoner, which I found him in possession of. He not only objected to the article alluded to, but, without the least pretence of adhering to the subject under discussion, or to any thing analogous to it, read over, one by one, every article in the chapter, accompanying each with a long commentary in the most prosy

and ill-digested style imaginable. During this excursion among the clouds, he referred frequently to the History of England, gave us an account of the manner in which Magna Charta was wrested from "that monster King John," and detailed the whole history of the Bill of Rights. In process of time, he brought his history down to the commencement of the American Revolution, then to the period of the Declaration of Independence—the Articles of Confederation—and so on, till my patience, if not that of the House, was pretty well worn out by the difficulty of following these threadbare commonplaces.

The next member who spoke declared his ignorance of Latin, and his consequent inability to study Magna Charta—which, I presume, was a good joke—but thought that, if these occasional opportunities were lost, of impressing upon the minds of the people a sense of their rights, their immediate descendants, who were not so familiar, of course, as they themselves were, with the history of their country, to say nothing of posterity, would gradually forget their own privileges; "and then," said he, "the Americans will cease to be the great, the happy, and the high-minded people they are at the present day!"

At length a man of sense, and habits of business, got up, and instantly commanded the closest

attention of the House. He had been one of the committee, he said, appointed to revise the laws, and as such, had voted for the insertion of the particular clause, not from any great or immediate good which it was likely to produce, but simply because it was consistent with other parts of the American Government, and because it was suitable to the present genius of the people, to make these frequent references to their rights. "Here," he observed, "is a fair opportunity to enumerate some of these rights, and I trust the committee will see the propriety of embodying these few but important precepts in the Revised Code of Laws which is to become the standard authority of the State."

I imagined this clear explanation would put an end to the debate; but the same invincible speaker who had so frequently addressed them before, rose again, and I don't know when the discussion would have ended, had not the hand of the clock approached the hour of two, the time for dinner. A motion to rise and report progress was then cheerfully agreed to, and the House adjourned.

I do not pretend to have done justice to this debate; in truth the arguments seemed to me so shallow, and were all so ambitiously, or rather wordily, expressed, that I was frequently at a loss for some minutes to think what the orators really

meant, or if they meant any thing. The whole discussion, indeed, struck me as being rather juvenile. The matter was in the highest degree commonplace, and the manner of treating it still more so. The speeches, accordingly, were full of set phrases and rhetorical flourishes about their "ancestors having come out of the contest full of glory, and covered with scars—and their ears ringing with the din of battle." This false taste, waste of time —conclusions in which nothing was concluded—splitting of straws, and ingeniously elaborate objections, all about any thing or nothing in the world, appeared to me to arise from the entire absence of those habits of public business, which can be acquired only by long-continued and exclusive practice.

These gentlemen were described to me as being chiefly farmers, shopkeepers, and country lawyers, and other persons quite unaccustomed to abstract reasoning, and therefore apt to be led away by the sound of their own voices, farther than their heads could follow. It is probable too, that part of this wasteful, rambling kind of argumentation may be ascribed to the circumstance of most of the speakers being men, who, from not having made public business a regular profession or study, were ignorant of what had been done before—and had come to the legislature, straight from the plough—or

from behind the counter—from chopping down trees—or from the bar, under the impression that they were at once to be converted into statesmen.

Such were my opinions at this early stage of the journey, and I never afterwards saw much occasion to alter them; indeed, the more I became acquainted with the practical operation of the democratical system, the more I became satisfied that the ends which it proposed to accomplish, could not be obtained by such means. By bringing into these popular assemblies men who—disguise it as they may—cannot but feel themselves ignorant of public business, an ascendency is given to a few abler and more intriguing heads, which enables them to manage matters to suit their own purposes. And just as the members begin to get a slight degree of useful familiarity with the routine of affairs, a fresh election comes on, and out they all go; or at least a great majority go out, and thus, in each fresh legislature, there must be found a preponderance of unqualified, or, at all events, of ill-informed men, however patriotic or well-intentioned they may chance to be.

On the same distrustful principle, all men in office are jealously kept out of Congress, and the State legislatures; which seems altogether the most ingenious device ever hit upon for excluding from the national councils, all those persons best

fitted by their education, habits of business, knowledge, and advantageous situation of whatever sort, for performing, efficiently, the duties of statesmen: while, by the same device, the very best, because the most immediate and the most responsible sources of information are removed to a distance; and the men who possess the knowledge required for the purposes of deliberation, are placed out of sight, and on their guard, instead of being always at hand, and liable to sudden scrutiny, face to face, with the representatives of the nation.

These ideas arose in my mind—I may say, were forced on my mind—upon seeing the workings of the legislature of New York; but I still trusted I might be wrong in my first views, and looked forward with increased interest to the time when I should be able to examine the whole question on a wider scale, and with greater means of information, at the fountain head—Washington.

In the meantime, I was much struck with one peculiarity in these debates—the absence of all cheering, coughing, or other methods by which, in England, public bodies take the liberty of communicating to the person who is speaking a full knowledge of the impression made upon the audience. In America there is nothing to supply the endless variety of tones in which the word Hear! Hear! is uttered in the House of Commons, by which the

member who is speaking ascertains, with the utmost distinctness and precision, whether the House are pleased or displeased with him, bored or delighted, or whether what he says is granted or denied—lessons eminently useful in the conduct of public debate.

In America, in every legislative assembly, the speakers are listened to with the most perfect silence and forbearance. This practice, while it must be particularly discouraging to good speakers, cannot fail to protract the wearisome prosings of the dullest and longest-winded orators, to the great loss of good time, and the mystification of business. It was not till long after the period I am now describing, however, that I came to any satisfactory explanation of this curious anomaly, which at first sight appeared inconsistent with the general state of things out of doors. But I found I was quite mistaken, in supposing this decorous silence could be safely dispensed with; and eventually became satisfied, not only of the policy, but of the absolute necessity, of the rule, so long as the deliberative bodies in question are framed on the principles of universal suffrage, and annual changes.

During the debate,—if the desultory discussion which has led me into this digression can be so called,—and while I was standing near the door,

the member who had spoken so often came up to me, and said, with a chuckling air of confident superiority, but in perfect good humour,—

"Well, sir, what do you think of us? Don't we tread very close on the heels of the Mother Country?"

I evaded the question as well as I might, by saying, that I did not think there was any race between us, or any danger of treading on one another's heels—that the countries were so differently circumstanced, it was hardly discreet to make comparisons.

I saw, however, by the little smile playing about his lips, that while he was of the same opinion as to the indiscretion of drawing such parallels, there might be a small difference between us as to the side which had the advantage in the comparison. But out of his great generosity, I suppose, or what he probably thought a proper exertion of national candour, and absence of prejudice, he cried out, —"Oh, yes!—there is no comparison—different circumstances—surely—You are right, there can be none. And as for the rest, are we not both trading nations? both agricultural nations? both naval nations?"

I bowed to the complimentary companionship implied in these questions, and was thinking of a proper reply, when the crush of members near the

door, on the adjournment, broke up our colloquy. Amongst the crowd I was jostled against the friend under whose wing I had gone to the meeting, who said to me, in a very audible whisper, but with a look of sufficient intelligence, "Well, Captain, you have now had an opportunity of seeing how the Sovereigns legislate!"

In the evening we went to a party; and, on entering the drawing-room, it seemed as if the gentlemen had all come first, and that the ladies were to follow, for no one was to be seen but male guests. The master of the house, seeing us hesitate, gave his arm to Mrs Hall, and proceeded to the inner drawing-room, where the ladies were seated round the apartment, in a fashion not very unlike that of the southern continent of America. I thought, of course, that this degree of formality was accidental, and that by and by the formidable line would be broken, according to the most approved tactics in such cases appointed. But a more extensive acquaintance with the fashions of the country taught me, that such was the general, though, as I think, not very sociable, custom; and however much it may be suited to the tastes and habits of the people themselves, it is certainly not so to those of Europeans.

I hope it will be recollected, that it is my business to describe things as they actually appeared to

me, not as they may appear to the natives—for whose information, of course, I do not write—but almost exclusively for that of my own countrymen.

We were then introduced with much kindness to many persons, most of whom, the instant we were presented, began to exact our admiration of their country, their people, their institutions, all the while praising every thing so highly themselves, that there was hardly room left for us to slip in a word edgewise. The praise of one's own country, its manners and customs, in conversation with a foreigner, comes so near to praising one's self, that the person to whom it is addressed feels a sort of awkwardness either in joining, or in declining to join, in such commendations.

Persons of sense and information were, of course, above descending to such arts to extort praise, and many Americans whom I met with at Albany, and elsewhere, were fully of my opinion as to the impolicy of making such demands upon the admiration of their guests—but I speak of the general, average mass of society in America, the current of whose thoughts, whether flowing at the surface or beneath it, appears always to set in one direction, and prompts such expressions as the following:—

"Don't you think this a wonderful country? Don't you allow that we deserve great credit for

what we are doing? Do not we resemble the Old Country much more than you expected? Had you any idea of finding us so far advanced? Are not the western parts of our State improving very rapidly? Is not our canal the finest work in the world? Don't you admit that we are becoming a great nation? What do you think of us, upon the whole?"

It was really not easy, "upon the whole," to devise civil answers to these and a hundred other similar questions—and yet to keep decently within the truth. It often grieved me very much, when driven into a corner and obliged to say something which fell short of their expectations;—for nothing could be more kind, or hospitable, or more obliging in all respects, than the Americans were to us, from end to end of the country. One of the chief sources of pain, therefore, arising out of these direct, but often unanswerable interrogations, was the necessity of appearing to make inadequate returns for so much friendly attention. I have frequently entered a room feeling every way grateful for kindnesses shown to my family and to myself; and, from being in perfect good-humour with what I had seen during the day, was not only willing but anxious to commend every thing in moderation, or with certain obvious, but not strained or uncivil qualifications. But, before I had been half an

hour in company, I had the mortifying conviction forced upon me, that so far from giving satisfaction, I was grievously disappointing the very persons it was essentially my wish, as it certainly was my duty, to please; but who would not receive at my hands any thing in the way of commendation, short of such raptures as I really could not bring myself to express.

It is generally taken for granted, that while travellers in other foreign countries are apt to misconstrue much that they hear, and often, also, to express what they do not mean to say, merely from their ignorance of the language, these embarrassments, in the case of an Englishman, will be entirely overcome in America, in consequence of English being spoken by both parties. But I have little doubt, after the experience of this journey, that no inconsiderable portion of the mutual misunderstandings between the Americans and their guests, arises from an imperfect acquaintance with this very English language, supposed to be common to both.

It must be recollected, that the meaning of words does not depend upon their etymology, or upon the definitions of Johnson, or any other lexicographer, but entirely upon the usage of the society in which they are current. We see this strongly marked even in England itself, where many ex-

pressions are used by one rank of persons, with perfect propriety, which, if whispered in another, would either be considered the grossest ill-breeding, or would be entirely misconceived, from carrying with them a sense totally dissimilar. Now, what holds good with regard to the different classes of society in one and the same country, may fairly be supposed still more striking in the case of different countries.

In America, it so happens—I don't at present enquire wherefore—that the English language is somewhat modified. I speak not alone of the meaning of individual words, in many of which also the change is abundantly perceptible; but chiefly of the general acceptation of language, as connected with a set of feelings, and a state of circumstances, materially different from those which exist in England. It would certainly be astonishing, if some difference were not to be produced in these two nations, both in the ideas, and in those forms of speech by which they receive expression, in consequence of the continued presence and operation of physical, moral, and political phenomena so essentially dissimilar, and in spite of the common origin, and the common language, of the two countries.

That part of the population in America who are acquainted with their own country, but who know

little of any other, and who, of course, form an immense majority of the whole, naturally give the tone to thought, as well as to language,—that is to say, their authority, as to the value of all current expressions, will predominate. And it must inevitably happen, that if these persons, forming the great mass, have acquired the habit, whether wisely or not, of seeing every thing in a favourable light which respects America, and of depreciating every thing English; and if at the same time they have fallen into the uncontrolled practice of using, amongst themselves, a correspondent warmth of language to express these thoughts and feelings, they may well be supposed to acquire habits of self-admiration, and of self-praise, beyond what they themselves are aware of. Their feelings and their language, therefore, may be strictly in keeping with each other, according to the current American acceptation of the words used, and they may often be speaking with perfect sincerity, with no want of a mutual and perfect understanding amongst themselves, when to a stranger the very reverse of all this may appear.

If it be the custom in England to apply different words, or a different form of words, from those used in America, to describe similar feelings and circumstances, an English traveller in that country, bringing with him his English ideas as to the

acceptation of words, and the judgment of things, will naturally be struck with what he supposes a want of agreement between the facts he witnesses, and the verbal expression in which they are represented to him by the inhabitants of America.

Now, if this theory be true, both parties will often be as much dissatisfied, or perhaps more dissatisfied, and wider of the intended mark, than if their respective languages—as happens between our neighbours the French and us—were entirely different, not merely in their local usage or occasional idiom, but in their whole structure. According to this view, an American, accustomed to use a certain form of expression to explain an ordinary sentiment, will be disappointed to find that he does not carry the stranger along with him—whereas it is very possible that he and his guest may all the while be thinking pretty much alike; but still the native may fail to make himself understood, from using terms which the stranger has been taught to appropriate to things of a different character. And in the same way, the stranger may describe what he feels in terms which, if understood in the sense he means them, would give his audience pleasure, instead of offence.

I do not say that all the misunderstandings, as they are well called, which separate the Americans

from us, arise from this source, but I know by painful experience that many of them do; and I seriously believe, that things would now be better, in this respect at least, between the countries, if, when the Americans adopted a form of government so radically different from ours, they could likewise have reformed the dialect as thoroughly. It is curious enough, by the way, to see the discomfort that some scrupulous Americans show to the mere name of our common tongue; I have actually heard a grave proposal made to relinquish the practice of calling it the English Language!

I remember reading in some old author, that when the Jesuits went to China, they found the religious ceremonies so like those of the Roman Catholic Church, that in their labours of conversion, they were more perplexed than assisted by this remarkable similarity, being often sorely bothered how to make the difference between the religions sufficiently manifest in the outward manners. They declared, accordingly, in writing to their countrymen at home, "that in all their travels amongst the Heathen, they had never before found the arch enemy concealed under so insidious a garb, and that it was far easier to convert a Gentoo to Christianity—though he worshipped a stick or a stone, and would rather kill one of his parents than

leap over a cow—than it was to bring about a Chinese who cared neither for God nor Devil."

I don't go quite so far. But I will say this, that in all my travels, both amongst Heathens and amongst Christians, I have never encountered any people by whom I found it nearly so difficult to make myself understood as by the Americans.

So much for language. But I may take this occasion, though rather premature, to add, that I consider America and England as differing more from one another in many essential respects, than any two European nations I have ever visited. This may look a little paradoxical at first, but is perhaps easily shown to be true. The accidental circumstance of their literature being supplied chiefly from us, serves to keep up an appearance of similarity, which, I am fully persuaded, would soon disappear under the influence of causes kept in check by this circumstance alone.

The fact of the greater part of all the works which are read in one country, being written for a totally different state of society in another, forms a very singular anomaly in the history of nations —and I am disposed to think that the Americans would be a happier people if this incongruous communication were at an end. If they got no more books or newspapers from us, than we do from

France or Spain, they would, I really believe, be much happier, as far as their intercourse with this country has any influence over them.

Surely this reasoning holds true in the case of England? Are we not happier in this country, in all that concerns our relations with America, where the great mass of the people never read an American volume, and never even see or hear of one? Do we worry and fret ourselves about what is said of us in America? Certainly not! Yet this does not arise from indifference, but from ignorance. If American newspapers, books, pamphlets, and reviews, were by any strange revolution in letters, to be circulated and read in this country, I will answer for the sensation they would produce, being one of extreme irritation—perhaps not less than what is excited in America by our publications. While, after all, at bottom, the countries respectively may be writing not for each other at all, but for themselves exclusively, and thus, as I have explained, virtually using two different languages.

If, therefore, the Americans choose to import from us, by every packet, what is disagreeable to them—but which was really never meant for their perusal, they ought not to blame us for keeping in that state of blissful ignorance of their daily opinions and feelings with respect to us, which—as

I well know!—it would be a very foolish sort of wisdom on our part to destroy, by extending our acquaintance with their literature and history beyond its present confined limits.

CHAPTER III.

On the 15th of September, 1827, when we went again to the House of Assembly, the speaking was even more discursive than it had been upon the first day. The orators rambled about from topic to topic with a most wasteful contempt of time, of which I dare say the same persons would have been much more economical had they been at their ordinary occupations—that is to say, working with their hands, not with their heads.

From thence we went to the Senate chamber, where we found the members acting not in a Legislative, but a Judicial capacity. The Senate consists of 32 members, besides the Lieutenant-Governor of the State, who is, ex officio, President. The senators are chosen for four years, and one quarter of their numbers go out annually.

By an article of the State Constitution, the court for the trial of impeachments and the correction of errors, is directed to consist of "the President of the

Senate, the senators, the Chancellor of the State, and the justices of the supreme court, or the major part of them." Causes are brought up to this court by writ of error from the supreme court of the State, in the same way, as far as I understand the matter, as appeals are carried to the House of Lords in England.

We were fortunate in hearing a case of considerable interest pleaded before the Court of Errors. It related to a matter of alleged conspiracy arising out of one of those fraudulent bubbles with which America was quite as rife as England in the wild season of 1825.

But I took a still deeper interest in the regular business which was done in the Senate in the early part of the morning, before resolving itself, with the additions before mentioned, into a Court of Errors. The revision of the laws was the subject under discussion, and I had ample means of judging of that passion for legislating, which I had been told frequently before was only second in the breast of an American to the passion of electioneering. As yet, however, I had seen nothing of the actual management of the elections, though at every table, and, indeed, in every place I had yet visited, this engrossing topic formed the principal, and generally the only, subject of conversation.

I was not very well repaid, however, by attend-

ing these discussions in the Senate, which, like those in the House of Assembly, were, in every case, spun out to a most unconscionable length of wordiness and commonplaces. Every motion that was made was sure to be overloaded with amendments upon amendments, so as to perplex their objects entirely, at least in the apprehension of the uninitiated. The science of law-making seemed to them to require nothing in the shape of previous education; and though I observed that, in the end, matters were generally got through in the way pointed out by the men who really understood the business, it was not always so; and I could detect the mortification of these gentlemen very distinctly when the House was running adrift, and member after member was prosing away upon stale views of the subject, and useless gossipings in the shape of business, interlarded with long rigmarole arguments upon matters which, in most other quarters of the globe, have been long ago settled and put on the shelf, as questions no longer to be mooted.

The sensible and well-informed men in America, if I am not very much mistaken, see all this, and feel its entanglement quite as much, and probably more than a stranger can do; while they have the additional annoyance of knowing that there is no remedy for it, as long as the principle of these

legislative bodies brings annually to the councils a great number of men who must of necessity be ignorant of the intricate subjects to be handled.

During our stay at Albany we lived in a boarding house, occupied chiefly by members of the Legislature, both of the Senate and House of Assembly, besides several lawyers, judges, officers of the army and navy, and, amongst others, the Editor of a newspaper, one of the kindest, most candid, and most useful friends I had the pleasure to make in America. But indeed they were all friendly and obliging to us. It happened also, fortunately, that several of these gentlemen took considerable charge of the public business which was then going on, and were the best informed men we could have met with any where in the State; so that we enjoyed the advantage of their conversation under circumstances highly advantageous. At meals we all met, of course; and as there was not quite so great a hurry here as we had observed elsewhere, we had more leisure for discussing the various topics which arose from time to time, than we had ever found before. Good opportunities were thus afforded of obtaining the opinion of different persons on the same point, and of conversing repeatedly with the same gentlemen on different aspects of the subject, as circumstances varied the complexion of affairs, or

suggested new ideas to us respecting them. In this way I often discovered that the views I had taken up at first were incorrect, or, at all events, different from those with which some of my various informants wished to impress me. When quite puzzled, therefore, by what one person told me, I had straightway recourse to another, and another, till I got some daylight to bear upon the obscure point. Besides these advantages, I found it very useful, as well as agreeable, to converse with these kind persons in different moods, and at different seasons,—an advantage which can be fully enjoyed only by people who live under the same roof; as every body, I presume, knows how different a man is when hungry, from what he is when satisfied; or when he has had things his own way, from what he is when crossed.

As I had nothing whatever to occupy my attention, but to study the humours, and to get acquainted with these obliging people, in order to get as much information from them as possible, my object was to avail myself of all these moments; and though, I fear, I must very often have bored them, I will do them the justice to say, that on every occasion, favourable or otherwise, they were most willing to lend their assistance, either to go into the subject deeply, or to touch it lightly, as the case might be. My sole purpose was to get at

the real state of the facts before me; and though, of course, like every other traveller, I had my full share of prejudices to entangle me, I was willing at all times to change my opinions, and did in fact often change them.

I may remark, by the way, that a person who moves about the world, though he may not, in fact, be more prejudiced than his neighbours who stick fast in one spot, or than the people whom he encounters on his journey, is much more liable to have his supposed errors brought to light than if he had never stirred from home. He has a sort of gauntlet, indeed, to run, between rows of people fixed in position and in opinions, who, from knowing little of what is doing elsewhere, feel at liberty to give the poor traveller a cut as he passes along, whenever he does not consent to think as they bid him.

It is altogether impossible to write down at the time the details of such varied intercourse; and if this could be done, the particulars would neither be useful, nor could they with propriety be published. In many cases, there would necessarily be some breach of confidence; for, let men be ever so circumspect in their conversation, they will often, in the heat of discussion, or in the cheerfulness of a tête-à-tête conversation, let slip remarks, to betray which would be a grievous offence against

such kindly intercourse as I was permitted to enjoy. Besides which, a stranger, in spite of himself, is always apt to colour his notes according to his own fancy at the time, and he may often misstate what he has heard, without being conscious of misrepresentation. Thus I find, in looking over my Journal, that one day's memorandum is often flatly contradicted by that which follows; and I frequently discover, that opinions are changed so gradually, that I cannot ascertain the time, or the exact circumstances, which induced the alteration. I can perceive only that at two epochs there have been different views taken of the same subject, and consequently learn that there must have been somewhere a medium point, when the mind was free to take its bias either way, as the impulse might happen to be directed.

It would undoubtedly be satisfactory to the readers, as well as to the writers of travels, if there could be some method devised of making straight so rugged and uncertain a path as journalizing; and that such good reasons for every opinion should be furnished, that no doubt could remain on the mind. But I fear that no observer will be found with a mind so constituted as to take in all the facts strictly necessary to a right judgment of any foreign country, and who at the same time shall have skill enough to satisfy all the parties interest-

ed in his statements, that he had done their favourite views justice. While some readers would think his accounts too diffuse, others would declare they were too much condensed; and, in spite of all he could advance, many persons would go on drawing inferences totally different from those he wished should follow a perusal of his writings. It is fair, indeed, that readers should act thus; and the writer ought to consider it quite enough if his statements of fact, and his own views of them, be understood. Whether or not they are adopted by others, is quite a different matter, and should be no concern of his.

This being the state of the case, it strikes me that travellers should endeavour not so much to give minute details, or entire conversations, or even general views of their subject, in the way of set, rule-and-compass description, but rather to explain, honestly, from time to time, and as occasion serves, the result produced on their own minds by the sum-total of their investigations.

For my part, I am conscious that I shall be found to advance many opinions respecting America, for which there cannot appear adequate authority; nevertheless, in every instance, the sentiments expressed were actually excited in my mind, by incidents which did occur, at some period or other of my residence in that country. Whether or not

these views furnish to others true pictures of the state of things in that country, I cannot pretend to say. But this I do not hesitate to affirm, that the sketches here given are as faithful representations as I am able to draw of the impressions left upon my own mind, by the whole series of incidents, and observations, which occurred during the Journey, or by the reflections which a more attentive consideration has suggested since it was finished.

During our stay at Albany, we went frequently into company, especially to dinners and to evening parties, both large and small, which afforded us the most agreeable opportunities of seeing and judging of the state of domestic society; one feature of which ought to be mentioned, as it meets a stranger's observation in every quarter of that wide country. I mean the spirit of party—not to call it politics—or rather, to define it more correctly, the spirit of electioneering, which seems to enter as an essential ingredient into the composition of every thing.

The most striking peculiarity of this spirit, in contradistinction to what we see in England, is that its efforts are directed more exclusively to the means, than to any useful end. The Americans, as it appears to me, are infinitely more occupied about bringing in a given candidate, than they are about

the advancement of those measures of which he is conceived to be the supporter. They do occasionally advert to these prospective measures, in their canvassing arguments in defence of their own friends, or in attacks upon the other party; but always, as far as I could see, more as rhetorical flourishes, or as motives to excite the furious acrimony of party spirit, than as distinct or sound anticipations of the line of policy which their candidate, or his antagonist, was likely to follow. The intrigues, the canvassings for votes, all the machinery of newspaper abuse and praise, the speeches and manœuvres in the Legislature, at the bar, by the fireside, and in every hole and corner of the country from end to end, without intermission, form integral parts of the business—apparently far more important than the candidate's wishes—his promises—or even than his character and fitness for the office.

All these things, generally speaking, it would seem, are subordinate considerations; so completely are men's minds swallowed up in the technical details of the election. They discuss the chances of this or that State, town, or parish, or district, going with or against their friend. They overwhelm one another with that most disagreeable of all forms of argument—authorities. They analyse every sentence uttered by any man, dead or alive, who possesses, or ever did possess, influence; not,

it must be observed, to come at any better knowledge of the candidate's pretensions as a public man, but merely to discover how far the weight of such testimony is likely to be thrown into their own scale, or that of the opposite party.

The election of the President, being one affecting the whole country, the respective candidates for that office were made the butts at which all political shafts were aimed, and to which every other election was rendered subservient, not indirectly, but by straight and obvious means. It was of no importance, apparently, whether the choice to be made, at any given election, were that of a governor, a member to Congress, or to the Legislature of the State—or whether it were that of a constable of the obscure ward of an obscure town—it was all the same. The candidates seldom, if ever, that I could see, even professed to take their chief ground as the fittest men for the vacant office—this was often hardly thought of—as they stood forward simply as Adams men or Jackson men—these being the names, it is right to mention, of the two gentlemen aiming at the Presidency. Although the party principles of these candidates for any office, on the subject of the Presidential election, could not—nine cases in ten—afford any index to their capacity for filling the station to which they aspired, their chance of success was frequently

made to hinge upon that matter exclusively. Thus the man who could bring most votes to that side of this grand, all-absorbing Presidential question, which happened to have the ascendency for the time being, was sure to gain the day, whether he were or were not the best suited to fill the particular vacancy.

More or less this interference of Presidential politics in all the concerns of life, obtained in every part of America which I visited. There were exceptions, it is true, but these were so rare, that the tone I have been describing was assuredly the predominant one every where. The consequence was, that the candidates for office, instead of being the principals, were generally mere puppets—men of straw—abstract beings, serving the purpose of rallying points to the voters from whence they might carry on their main attack in the pursuit of an ulterior object, which, after all, was equally immaterial in itself, but which served, for the time being, to engross the attention of the people as completely as if it were of real consequence to them. In these respects, therefore, the Presidential contests in America resemble those field sports in which the capture of the game is entirely subordinate to the pleasures of its pursuit.

I do not deny that there is more or less of this spirit in the popular elections of England. I once

assisted at a contest of this sort in Westminster, and well remember how completely the ultimate purpose was lost sight of by myself, and by many friends of the parties respectively, in our ardent desire to succeed, merely for the sake of succeeding. Such, I fully believe, is the necessary consequence of any thoroughly popular election; and, accordingly, while it lasts, it is sometimes not a bit less violent in Covent Garden than it is in America. But the essential difference between the cases lies in the frequency, and in the duration of these vehement excitements.

Now, with the knowledge we have of the commotion which even these comparatively rare, and always transient, ebullitions produce, let us, if we can, imagine what would be the state of things in England, were the Westminster form of election to become general over the Island, and, instead of lasting a fortnight, were it made perpetual! We should then have some idea of what is going on in America at all times and seasons. Persons who have seen only one side of the picture may suppose this colouring exaggerated; but those who have seen both, will be ready, I am persuaded, to acknowledge, that as far as it is possible to establish a comparison between societies so differently circumstanced, the illustration is one which will help

an Englishman to understand what is passing in America.

In England, where the elections, upon an average, occur once in little more than four years, these scenes pass over, after producing their wholesome excitement, and, having left us quite as well, and generally better than they found us, allow people to set about their ordinary business again with renewed spirit and cheerfulness. But in America the electioneering spirit never dies; and though no one in that country denies this fact, the admission is qualified by the assurance, that, upon the whole, essential good is the result. It is declared that, without some such powerful stimulus perpetually acting upon the people, they would become indifferent to their duties on the one hand, and to their rights on the other—and then their liberties would be lost for ever.

CHAPTER IV.

We left Albany on the 28th of September, 1827, and proceeded in the direction of Boston, through what are called the New England, or Eastern States, consisting, as I think I have mentioned before, of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

We should be the most ungrateful people in the world, were we to omit expressing our sense of the uncommon kindness shown to us by every person, with whom we formed any acquaintance at Albany. The formality, so irksome elsewhere, though still much greater than we had been accustomed to in other countries, seemed gradually to wear off, upon more extensive and varied intercourse; especially in the case of our fellow-lodgers; and we now most anxiously trusted, that our previous opinions on this subject had been hastily formed. In general society, also, so much attention was paid to all our wants, and such a ready disposi-

tion manifested to give information,—to say nothing of the obliging notice taken by all parties of our young traveller, now a year and a half old,—that we left Albany with sincere regret; and, in laying out plans of future operations, always arranged matters for paying another visit to our kind friends there. It is easy to make such resolutions on paper, but when so large a portion of a whole continent is to be visited, so many thousands of rugged miles to be gone over, and all sorts of climates to be encountered, it is somewhat presumptuous to calculate what shall be done a year in advance. And so it proved—for we never saw Albany again.

It is often supposed that travellers can rarely acquire any strong interest in places through which they pass so quickly. But the valuable friendships I formed at Albany, and in many other parts of America—added to ample experience elsewhere—have taught me how soon even such casual and apparently transient influences take deep root, when circumstances are suitable; and how firmly they hold their ground afterwards, amongst the long-tried regards of older acquaintance.

At starting from Albany we had to cross the Hudson, and in this troublesome operation lost much time; for it happens in America, as in other parts of the world, that things are not always best managed at those places where it is expected they

will be found in the highest order. The ferry-boats in general, it is true, in this part of America, are admirably contrived both for foot passengers and carriages; being made so wide that half a dozen stages and carts, besides twice that number of horses, may easily find room on their decks. The moving power is almost invariably that of horses; generally six or eight in number, whose strength is applied to paddles similar to those of a steam-vessel.

On reaching the water's side, we had the mortification of seeing the boat just entering the dock at the opposite shore; so that if we had been five or ten minutes sooner, we might have saved more than an hour's delay. Owing to something having gone wrong at the ferry, a long time was spent in disembarking the cargo of horses, sheep, carts, waggons, and people; while we had nothing to do but sit on the bank, looking at the retreating multitude streaming out of the boat, and wending their way up the hill, like the flight into Egypt in the old pictures.

At length the boat put off, and slowly recrossed the water to our side; where, however, we were kept in the most provoking manner some twenty minutes after every thing was ready for moving, by the obstinacy of the ferryman, who would not stir a foot. What his reasons were we could not

make out; though probably he was nettled at the unmeasured abuse of the stage-driver, who indulged his spleen in a tirade of oaths and scurrility such as I had not heard before in America;—where, I must say, their Jarvies have the advantage of ours in this respect.

I fancy our surly skipper had taken an extra glass of whisky; for, by dint of a more ingenious piece of nautical mismanagement than any sober man would have thought of, we bungled our entry into the dock on the eastern side of the river, and, in spite of many an oath, and many a thump bestowed on a worn-out horse—Charlie by name—we fairly stuck fast, with the bow of the vessel jammed between the two pier-heads, while her stern was held tight down the stream by the ebbing tide. I was rather amused than otherwise by the dilemma, and for some time refrained from interfering, as I have generally seen professional persons make matters rather worse than better by their spluttering on these occasions. At last the ferryman, after urging his poor beasts to turn the paddles to no purpose, threw down his whip in despair, gave the horse nearest him a sound box on the chops, and roared out, to the horror of the good company, "D—n your soul, Charlie, why don't you get up!"

I now thought it high time to make a move, and jumping from the carriage, rigged out a spar over

the starboard quarter, and reaching to the bow of a sloop lying at the wharf, by which means we boomed-off the ferry-boat's stern, till she came exactly in a line with the entrance of the dock. Poor Charlie, knowing instinctively that his services could now be of some use, ran round quite merrily, and in we slipped to our birth.

I felt a particular degree of interest in revisiting the interior of this part of the country, from a desire to compare the state of rural and also longer settled society, with that which I had now become pretty familiar with in the cities, and in the more recently peopled, bustling parts of the States. I was the more anxious to do this from having been told, over and over again, by persons whose opinion I was disposed to hold in much respect, and who seemed honestly desirous of putting me in the right path, that all, or nearly all, the ideas I had taken up respecting the moderate degree of intelligence of these people—their incapacity, in common with the rest of mankind, for self-government, and so on—were erroneous. Whenever I spoke with disapprobation of the incessant high fever in which all the world seemed to be kept by the Presidential election,—or when I cast any reflections upon the mischievous practical effects of universal suffrage and annual Parliaments, in bringing into the Legislatures of the States ignorant and incompetent

persons, to the exclusion of the ablest and most experienced,—or when I spoke of the limited nature of the information possessed by the great majority of all the persons I had yet met with, and of the difficulty I had hitherto found in carrying their ideas out of money-making, electioneering, and other local channels,—in short, when I did not think every thing in America perfect, or not so good as I had been accustomed to see in other countries, in correspondent situations, I was always told that I had fallen into bad hands—that I had been accidentally or wilfully misled by the people I had been amongst—or that I had unfortunately gone to such and such a town at a wrong moment.

From hearing these assertions so frequently repeated, I really began to hope that I had been deceived, especially as these optimists told me to wait till I had seen the people of the interior, out of the reach of the contaminating influence of cities, steam-boats, and stage-coaches. "Go to our flourishing villages, sir," they said, "and talk to our farmers; there you will see our character—there you will find the high-minded and intelligent citizens of our country."

I said I would do so with all my heart. And I kept my word. Nor did I go about the enquiry with any unwillingness to find things as they were represented to me; but, on the contrary, in all

these researches I most anxiously endeavoured to see things as the inhabitants wished me to see them; took every possible means of explaining the anomalies I saw, or thought I saw, in a pleasant way, and persevered in following the rule I have been guided by through life—to see every thing on its most favourable side.

It is due to the subject, however, and perhaps to myself, to say, with reference to the above assurances of the Americans, and my determination in consequence, that I was not quite so young a traveller as to believe at once, and upon trust, that the usual law in such matters was inverted in the case of their country,—which would certainly be the case if more intelligence and talents were found in the villages of the interior, than in the cities. All I assert is, that I was willing to be convinced;—a feeling which I carried not only to the agreeable little country town of Stockbridge in Massachusetts, where we made our first halt, but to hundreds of others which I visited in all parts of the United States;—so varied in situation and circumstances, as to present themselves under every conceivable aspect as to age, prosperity, population, climate, and all the other modifying causes, domestic and political, which can be supposed to have any influence in determining national character.

It may perhaps be thought that I anticipate matters a little—but I think the truth cannot be too soon told—and I must therefore confess, that in spite of my own best wishes, encouraged by the ardent persuasions of the Americans, I found all parts of the country very much alike,—that I could never in any place discover for myself, or hear upon good authority, any thing of that peculiar intelligence, or that peculiar high-mindedness, so much insisted upon by American writers, and rung into my ears by almost every person I met with from end to end of the continent.

The fact, it appears to me, is simply this:—the American people are very like other people in these respects; and exactly in proportion to their motives to exertion, so they become well informed and attend to their business, and not one whit more. Under similar circumstances, when such do occur, which, for obvious reasons, can very rarely happen, they are just like the common run of Englishmen; and as I do not think the circumstances in America are more favourable for the attainment of intellectual excellence than they are in England, but tend rather, on the contrary, to distract and waste the powers of the human mind, by diverting it from its proper, because most natural course, into a hundred minor channels; so I do not think that the

inhabitants, generally speaking, are by any means more intelligent.

During my residence near Stockbridge, I went frequently into the village, it being my pleasure as well as my business to get acquainted with as many of the inhabitants as I could. This was an easy task, as they were universally as kind and obliging as I had found their countrymen elsewhere. I had also opportunities of visiting the neighbouring country houses and farms, sometimes in company, and sometimes alone, upon which occasions I had the means of seeing, on every hand, instances of that energy of character, and ardent perseverance for which the New Englanders are so deservedly distinguished. It is well known to every one in the least degree acquainted with America, that by far the greatest conquests of man over the wilderness in the West, have been achieved by these hardy pioneers, as they are well termed, from the Eastern States. That section of the Union, indeed, has served as a hive from whence swarms of emigrants, as robust in body as in mind, have issued forth, and carried with them to the woods the same spirit of freedom, of enterprise, and of active labour, which has belonged to them, I believe, ever since their first settlement.

Besides these numerous detailed examinations of

the country society in Massachusetts, we had the frequent good fortune to meet the more wealthy class of the village residents at their own houses. Upon one of these occasions I was gratified in a very high degree by making acquaintance with the accomplished author of several admirable works of fancy—"Redwood," "Hope Leslie," and others, which I am happy to find have been republished, and are becoming more known in England; because, independently of that high and universal interest attaching to works of fiction in the hands of genius—wherever placed,—these novels possess another and very pleasing kind of merit, in the graphic truth with which the country in which the scenes are laid is described.

It was our peculiar good fortune, not only to converse with the author, but afterwards, under instructions which she chalked out for us, to visit some parts of the country best adapted for showing off the beauties of a New England autumn. Thus prepared, we carried this lady's books in our hands to the tops of the mountains of the New World, as the tourists to the Highlands of Scotland used to carry the Lady of the Lake, to aid their taste in admiring Loch Katrine.

In the meantime, however, the picturesque was obliged to yield to scenes of another description, as the grand cattle show at Stockbridge, the fourth

anniversary of the Agricultural Society, took place at the period of our visit.

The hilarity of the meeting, however, was essentially injured by the heavy rain which fell during all the morning; a circumstance the more provoking, from its being the only unfavourable day which had occurred for some time. It was truly melancholy to see the poor people's best clothes and other finery destroyed, and all their amusements marred. The merry flutes were no longer merry, while the drums became soaked, and scarcely yielded a sound, though ever so well thumped. The gay flags, instead of waving over the heads of the lads and lasses of the neighbourhood, hung dripping down to the very mud. The bright muskets of the awkward but showy militia were speedily tarnished; and instead of the whole fields being speckled over with parties skipping to and fro, the inhabitants of the village and surrounding hamlets, cased in great-coats, or cowering under umbrellas, were huddled together, silent and dissatisfied. All was discomfort; and it made one feel cold and damp, even to look from the window at the drenched multitude.

As the first exhibition, a ploughing match, took place so near the house, that we could see it pretty well without going over the threshold, we satisfied ourselves for some time with the view

from thence. But I was soon tempted, by the growing interest of the scene, to make my mind up for a ducking, and sallied forth in the face of the storm. The ploughmen, who showed a great deal of spirit in this amusing competition, all drove oxen, excepting one man, on whose ridge horses were used. I have such an obscure idea of what good ploughing is, that I cannot tell how this trial ought to rank with similar exhibitions elsewhere; in truth I soon ceased to watch the details of the match, in the personal interest I was led to take in one of the competitors, whose vehement anxiety to win the prize enlisted the sympathy of most of the spectators on the field. He was a small and rather handsome negro, who drove a team of oxen as diminutive, in proportion, as himself. His whole soul was absorbed in the enterprise—he looked neither to the right nor to the left, nor any where, indeed, but to the heads of his cattle, whose slightest deviation from the straight line, he watched with a quickness, which excited the admiration and sometimes applause of the bystanders. In his hand he wielded a little whip, or more generally he laid it across the plough, using it only when his voice failed to direct his team. Even then he merely touched one or the other of the oxen with the end of the lash, not rudely, and with a volley of angry reproaches, but gently, and more

as a hint, apparently, to the animals, than as a punishment. Accordingly, as in duty bound, they seemed to enter fully into their master's anxiety, and tugged and panted along in gallant style!

After the match was over, the umpires kept us a long time in suspense before they decided which ridge was the best ploughed; for it appears that expedition in these matters is only one of many points which determine the real merit of the work done. But the judges at last decided in favour of our sable friend,—a result with which the whole field seemed satisfied. Poor blackie, indeed, has very seldom such occasions of triumph, for even in these non-slave-holding States of America, this fatal shade, by marking out the negro as a totally different race, gives him little—or I might say no chance—of placing himself upon any permanent equality with the white lords of the creation, who, on their part, would as soon think of sitting down to eat Indian corn leaves, or chopped pumpkins, with their cattle, as of entering into social intercourse with a 'negur;' with whom, however, it would seem, they have no objection to engage in manly, but temporary competition.

Shortly after the ploughing match was ended, the day cleared up, and I expected to see some of that merriment set a-going which I had been taught to consider as the appropriate and almost

necessary accompaniment to such a meeting. In particular I hoped to see the women tripping out of the houses and mixing gaily with the men. But no attempt of this kind was made, or once thought of; the whole proceedings, indeed, being strongly marked with that air of laborious effort which always accompanies unwonted amusements; and certainly I never fully understood before what was meant by making a toil of a pleasure. The Americans, who are a very grave people, keep few holidays; and whether it be cause or effect, I do not know, but they appear wofully ignorant of the difficult art of being gracefully idle,—of relaxing from toil, and leaving off business, for the more pleasing occupation of interchanging good and kindly offices, merely as such, without reference to pecuniary profit, or electioneering politics;—as if bodily and mental profit, the gaiety of soul and the elasticity of limb, which spring out of habitual and innocent festivities, were not so much clear gain! On this occasion, at least, there was no attempt at amusement even when the day had improved, for the very instant the ploughing match was over, all the women trudged home, unattended; while the men crowded eagerly to the tavern, where, although I must allow there was nothing like drunkenness, or riot, or noise, there was a great destruction of ardent spirits.

As I found the smell of whisky and the clouds of tobacco smoke not very pleasant, I took the opportunity of examining the domestic manufactures, laid out for public inspection in the Academy. The articles exposed showed greater skill than I had expected to find in this remote country place, and I could not help thinking that such well-applied dexterity and industry were more likely to advance the interests of the country than the operations of any artificial system of duties. On the other hand, if the protecting system can really be made effective in the encouragement of such works as I saw on this day, without occasioning more than an equal loss to some other part of the community, it would be unfair to deny the wisdom of such a measure.

At one o'clock, the men were summoned to dinner in the tavern, by a loud bell, and we sat down, to the number of about 150. Two gentlemen of the Committee took charge of me, and nothing could be more attentive or communicative than these obliging persons were. A Presbyterian minister, from one of the Southern States, said a long grace before we began, during which he alone stood. On my right sat the Professor of a college, and opposite to us, side by side, were placed an Episcopalian clergyman, and a lawyer of the village. A member of Congress, who had invited me to the

dinner, was called away just as we sat down, to see about some twenty head of cattle he had brought to the show for sale. After dinner the clergyman of the Episcopal church said the grace. I mention these things to show the good fellowship that seemed to prevail amongst persons and sects so dissimilar.

Dinner, as I have often said before, is a brief affair in America, a mere business to be got over, not a rational pleasure to be enjoyed; and we were soon called away, by sound of drum, to join the procession to the church, where an oration suitable to the day, was to be delivered. The company walked two and two, with the most formal and funereal solemnity, the women being kept carefully separated from the men. I was rather surprised when the gentleman with whom I was appointed to walk, took me to the very last, the tail of the line, which, at first, looked odd enough, as it was obvious, from a hundred other things, that they wished to treat strangers with all distinction. But in the rear I found also the clergyman and several other principal persons of the village. This arrangement, which reminded me of the etiquettes at a naval funeral, I found was a device for giving us the first entry into the church, and consequently the choice of seats; for when the head of the column reached the church-door, a general halt took

place, and a lane being formed by the gentlemen who had been walking side by side now facing one another, the two clergymen took off their hats, and advanced from the end of the line up the avenue formed by the double row of people.

I was invited to follow next, and, accompanied by my friend, moved along cap in hand. I observed, that as the clergymen passed, about one in ten of those who were in the line touched their hats. There did not seem to be any intentional rudeness on the part of the other nine, as the omission evidently arose from want of habitual politeness in such matters. In fact, the whole affair was a most amusing though rather clumsy compromise between the natural consequence which arises from wealth and station, and the nominal rights and privileges of that much talked of equality which belongs to a democracy. The dignity of the sovereign people, it will be observed, was duly maintained on this occasion by their being allowed the precedence in the line of march; while their subjects, or rather the subordinate sovereigns, —the rich or influential villagers—by means of the device I have described, were allowed the more solid advantage of good situations in the church. The ladies, still kept apart, had already occupied one side, while the other was allotted to the men.

An appropriate agricultural discourse was delivered after a hymn and a prayer. It was so good that I regret not having room for it all.

"The next thing which I mention," said the orator, "as having a bearing upon the farming interest, and affecting its respectability, though of course unfavourably, is the use of ardent spirits. Something, indeed, has been done of late to awaken public sentiment with regard to it; but there is no subject on which a deep-toned remonstrance is more needed. On this subject I must state facts, with regard to which, for the credit of this town, for the credit of this county, and of this country, I would gladly be silent. The general correctness of my statement cannot be questioned. How much ardent spirits do you suppose, gentlemen, is purchased annually at the different stores in this town? Do you suppose there are twelve hogsheads? Do you suppose there are twenty? Gentlemen, there are thirty! and this is rather below than above the truth. These, upon an average, contain 120 gallons, making 3600 gallons consumed in this town in one year, or more than $2\frac{1}{2}$ gallons for every man, woman, and child. None of this is sold for less than 50 cents a-gallon; and if we put it at an average of $62\frac{1}{2}$ cents, it will be very low. If we average it at that, the amount paid by this town for ardent spirits, is 2250 dollars.

"If now, to the expense of all this, we add that of pauperism, produced by intemperance,—and probably nine-tenths of it is thus produced,—and that of the various lingering diseases which not only an excessive, but a moderate use of this stimulus induces, there is no calculating the expense or misery which it occasions. But the expense, enormous as it is, and probably, for this county, not less than 100,000 dollars a-year, we would not regard. Let our people be poor, comparatively, we care not for it; but let them retain their integrity and their virtue; let them keep themselves clear from this abominable sin against God and against man."

This appeal is sufficiently energetic, and, of course, would have roused my attention to the subject, had I not already been much struck with the extent of the baneful practice alluded to. In all other countries with which I have any acquaintance, the use of ardent spirits is confined almost exclusively to the vulgar; and though, undoubtedly, the evil it causes may be severe enough, it certainly is not, upon the whole, any where so conspicuous as in the United States.

In the course of the journey, such ample means of judging of these effects lay on every hand, that I speak of them with great confidence, when I say,

that a deeper curse never afflicted any nation. The evil is manifested in almost every walk of life, contaminates all it touches, and at last finds its consummation in the alms-house, the penitentiary, or the insane institution; so that, while it threatens to sap the foundation of every thing good in America—political and domestic—it may truly be said to be worse than the yellow fever, or the negro slavery, because apparently more irremediable. Dram-drinking has been quaintly called the natural child, and the boon companion of democracy; and is probably not less hurtful to health of body, than that system of government appears to be to the intellectual powers of the mind.

Fortunately, however, the sober-minded part of the American population, who are fully alive to the enormity of this growing and frightful evil, are making great efforts to check its progress. At the same time I must confess, that as yet I have not heard in conversation, nor seen in print, nor observed any thing myself in passing through the country, which promises the least alleviation to this grievous mischief, of which the origin and continuance, I suspect, lie somewhat deeper than any American is willing to carry his probe. The habit, according to my view of the matter, is interwoven in the very structure of that political society which

the Americans not only defend, but uphold as the very wisest that has ever been devised, or ever put in practice, for the good of mankind. At present, however, my object is to deal chiefly with the fact, though I may remark in passing, that in a country where all effective power is placed—not indirectly and for a time, but directly, universally, and permanently—in the hands of the lowest and most numerous class of the community, the characteristic habits of that class must of necessity predominate, in spite of every conceivable device recommended and adopted by the wise and the good men of the nation.

That I am not overstating the facts of this case, will be seen from the following extracts from the First Report of the "American Society for the Promotion of Temperance," established at Boston on the 10th of January, 1826.

"The evils arising from an improper use of intoxicating liquors, have become so extensive and desolating, as to call for the immediate, vigorous, and persevering efforts of every philanthropist, patriot, and Christian. The number of lives annually destroyed by this vice in our own country is thought to be more than thirty thousand; and the number of persons who are diseased, distressed, and impoverished by it, to be more than two hun-

dred thousand; many of them are not only useless, but a burden and a nuisance to society.

"These liquors, it is calculated, cost the inhabitants of this country annually, more than forty millions of dollars; and the pauperism occasioned by an improper use of them, (taking the commonwealth of Massachusetts as an example,) costs them upwards of twelve millions of dollars." (P. 8.)

The Society is in hopes, that by "some system of instruction and action, a change may be brought about in public sentiment and practice in regard to the use of intoxicating liquors; and thus an end be put to that wide-spreading intemperance which has already caused such desolation in every part of our country, and which threatens destruction to the best interests of this growing and mighty Republic." (P. 4.)

The same Report contains many very curious extracts from official and other documents, all bearing more or less testimony to the enormity of this evil, but which are too long to extract. The following paragraphs, however, are so remarkable in themselves, independently of their connexion with this subject, that I think it right to give them a place without abridgement.

"The number of paupers received into the alms-house at Philadelphia

in 1823	was 4908	expenses in dollars	144,557
in 1824	5251	. . .	198,000
in 1825	4394	. . .	201,000
in 1826	4272	. . .	129,383
Total in four years	18,825,	expenses	672,940

" The alms-house at New York, and the penitentiary connected with it, has about 2000 inmates constantly, at the annual cost of about a hundred thousand dollars. Nearly all these people are addicted to intemperance.

" From a Report made to the legislature of New Hampshire in 1821 by a committee, it appears that the maintenance of the poor in that state has cost them, from 1799 to 1820, 726,547 dollars—average annual expense, 36,327 dollars. In Massachusetts there are 7000 paupers, whose support costs the state 360,000 dollars. From a Report made to the legislature by the Secretary of State, in the year 1822, it appears that there were then 6896 permanent, and 22,111 temporary paupers, whose support cost that year 470,582 dollars.

" By means of these data we estimate the number of paupers in the United States at two hundred thousand, whose support costs annually ten

millions of dollars. We coincide in opinion with the managers of the Society for the Prevention of Pauperism in the city of New York, who, in one of their Reports, say, ' in the production of crime and pauperism, ardent spirits may justly be called the cause of causes.' "—First Annual Report of the American Temperance Society, printed at Andover, 1828, pages 64 and 65.

It would be well, I think, if those writers and orators—on both sides of the Atlantic—who are so prompt at every moment to visit with unmitigated censure the operation of the English Poor Law system, would take the trouble to look at some of these things. The abuses of the Poor Laws are no doubt often grievous; and certainly I have no intention of becoming the champion of such departures from their original intention. That sort of argument, indeed, which derives its merit from recrimination, like the celebrated dispute touching the relative colour of the pot and kettle, may not always elicit important truths, but may sometimes do good, by making inconsiderate people think and enquire, before they speak.

The same curious Report goes on to observe, that " others compute the drinking population at one million, and the number of intemperate persons at three hundred thousand, and the number

of families afflicted in various ways by this terrible scourge at four hundred thousand.

"We believe the foregoing estimates are as nearly correct as the nature of the case will admit of; and after all the deductions are made which any person whatever may demand, enough of want, disease, madness, crime, and death, will remain, to stain the custom of using ardent spirits with *human blood*, and lay to its charge the *perdition of souls!*"

Although it may be thought I have already said enough on this subject, I must, in justice to all parties concerned, add the opinion of one of the most respectable bodies in America. The following paragraph is taken from page 256 of the Minutes of the General Assembly of the Presbyterian Church in the United States, published in Philadelphia in 1828.

"Intemperance is a vice which maintains a wide and fierce conflict with the remonstrances of interest, reason, and honour—with the warnings of conscience, and the threatenings of Heaven; and since a closer and more anxious enquiry into the extent and consequences of the practice of freely using ardent spirits has been instituted, the religious community have awoke, as it were, from a dream, to witness the wide and mournful, and

augmenting ravages of this evil, which is every year bearing its thousands to untimely graves; reducing hundreds of virtuous and independent families to poverty and disgrace; laying the brightest hopes of genius and learning, and the fairest prospects of usefulness and honour, in the dust, and hastening to cover our nation with general disgrace, and plunge thousands of immortal beings into everlasting destruction."

After these frightful statements, it may seem strange that, during the whole journey, I should have seen very little drunkenness, properly so called. But drinking and drunkenness, it must be observed, are not always necessarily connected; and I was perfectly astonished at the extent of intemperance, and the limited amount of absolute intoxication. To get so drunk as to kick up a row, or tumble about the streets, or disturb a peaceable household all night long, are feats that require a man to sit down to his bottle, and swill away till inebriety is produced. To what extent this practice is followed as a habit in America, I cannot say. I certainly never saw any of it. But what I did see, at every corner into which I travelled, north or south, east or west, was the universal practice of sipping a little at a time, but frequently. In many places, it was the custom to take a

n before breakfast, and in some parts of the
ıtry another was taken immediately after that
l; and so on at intervals, which varied from
an hour to a couple of hours, during the whole

CHAPTER V.

On the 3d of October, 1827, we left Stockbridge, and proceeded across the country to Northampton, another of those beautiful New England villages, which it is impossible to overpraise. Our road was conducted through ravines, over mountain passes, and occasionally along the very summit of ridges, from whence we commanded a view of sufficient beauty to redeem, in the course of one morning, all the flatness and insipidity of our previous journey. The greater part, indeed, of the country which we had yet seen—always, of course, excepting the beautiful Lake George, and delightful Hudson—consisted either of ploughed fields, or impenetrable forests, or it was spotted over with new villages, as raw and unpicturesque as if they had just stepped out of a saw-pit. The towns of Massachusetts, on the contrary, were embellished with ornamental trees and flower gardens, while the larger features of the landscape

owed their interest to the more vigorous accompaniments of rocks, mountains, waterfalls, and all the varied lights and shades of Alpine scenery.

In the course of this agreeable day's journey, we traversed a considerable portion of the route over which it has been seriously proposed, I was assured, to carry a rail-road between the cities of Boston and Albany. No single State, still less any Section of the Union, it seems, likes to be outdone by any other State; and this feeling of rivalry, stimulated by the success of the great Erie Canal—an undertaking highly favoured by nature—has, I suppose, suggested the visionary project in question. In answer to the appeals frequently made to my admiration of this scheme, I was compelled to admit, that there was much boldness in the conception; but I took the liberty of adding, that I conceived the boldness lay in the conception alone; for, if it were executed, its character would be changed into madness.

Albany and Boston lie nearly east and west of each other; while much of the intermediate space is so completely ribbed over by a series of high ridges running north and south, that the rail-way in question would have to pass along a sort of gigantic corduroy road, over a country altogether unsuited for such an undertaking. Besides which, several navigable rivers, and more than one canal,

lying along the intermediate valleys, connect the interior with the sea, and thus afford far readier means of exporting or importing goods to or from New York, Albany, or Boston, than any rail-way can ever furnish.

The same reasoning might be applied to a hundred other projects in the United States, many of them not less impracticable, but which, although existing only on paper, are, nevertheless, assumed as completed, and cast into the balance of American greatness, till the imaginary scale, loaded with anticipated magnificence, makes the Old World kick the beam, to the great satisfaction of the inhabitants of that country, and the admiration of distant lands, who know nothing of the matter.

The view from the summit of Mount Holyoke, which we visited on the 4th of October, is really splendid, and is otherwise most satisfactory for travellers, from bringing under their eyes a great extent of country. The top is 880 feet above the level of the river Connecticut, which winds about in the alluvial land below, in a very fantastic style. This pretty stream was visible in a northern direction, for many miles, in the gorges amongst the hills; but, on turning to the south, we could discover only a few touches of it here and there, which to the naked eye seemed merely patches of smoke; but when viewed through a pocket telescope, these glimpses

looked like bits of some immense looking-glass shivered to pieces, and cast among the trees. As many of the hills and dales in this pleasing prospect had been long cleared of woods, the eye was not offended by that ragged appearance, so comfortless and hopeless-looking in most newly settled countries. Such spots, in this comparatively old part of the country, are laid out mostly in orchards,—but sometimes in meadow lands, or in wheat, or, more frequently still, in maize fields. The flourishing villages of Northampton, Hadley, and Amherst, lay almost at our feet. The planners of these, and indeed of most of the villages in that part of the United States, appear to have commenced by making a street, or unpaved avenue, of not less than eighty or a hundred yards in width, with a double row of trees on each side, and a walk between. The houses were almost invariably detached from one another, and stood back some ten or twelve yards from the broad and agreeably shaded walks lining the main street; the intervening space in front of the houses being generally railed in, and trimmed with shrubs, flowers, grass plots, and gravelled paths. Even the porches, and occasionally also the sides of the windows and the ends of the houses, were covered with creepers, in a very pleasing taste; and as most of these buildings were of wood, painted white, with dark green doors and

folding shutters, made in the Venetian blind style, the effect of the whole was particularly striking.

Of the unrivalled splendours of an American autumn we had heard so much before, that we considered ourselves fortunate in seeing it in the very centre of the most favourable part of the country. I think it is the maple, whose leaves change at this season from light green to bright crimson, on every branch from top to bottom. Whatever tree it was, however, nothing could be more dazzling than the effect produced. But there were many others, whose extreme tops only were yet tinged; but in such endless varieties of colour, and all so vivid, that it was sometimes wellnigh painful to the eye to look at them. I need not say with what effect the honest evergreens held their place as a sober ground-work to these brilliant though transitory tints—not the less pleasing, probably, on that account. Upon the whole, I do not know that I have seen in other countries any thing so wonderfully diversified, as the colours of the foliage at this season in New England.

The word for autumn in that country is the Fall—a term happily expressive of the fate of the leaves, and worthy, perhaps, of poetical, if not of vulgar adoption. Why, if the Spring be the rise of the year, should we not apply an equally descriptive expression to the period when the law of nature,

that all things on earth must droop and perish, is urged in such impressive language upon our thoughts?

Before stepping into the carriage, in which it appeared we might proceed about half way up Mount Holyoke, we consulted the people of the house as well as the guide-books, as to the facilities of the road; and I particularly asked the bar-keeper if he thought we might take the child. He laughed, and exclaimed, "O, no! you will never be able to get up if you take the infant; the road, I promise you, is very difficult and steep."

Travellers are an obstinate race, it is said;—but in truth, they seldom know rightly what to do till the excursion is over, and then their experience, like that of most people, comes rather late. As the habit of road-books and guides, for obvious reasons, is always to exaggerate things, so their object in this case was manifestly to make the mountain as high as possible. I therefore inferred, from nothing being said in the books of the difficulty of the ascent, that the patriotic bar-keeper was merely puffing off his favourite hill, by superadding an allowance of steepness. Accordingly, I decided upon carrying the whole party, notwithstanding the smile which I detected whisking about the lips of my informant as he closed the carriage door, and we moved off.

For the first mile and a half, our road lay through a flat alluvial meadow, covered with groups of haymakers, besides parties of men and women stripping overloaded apple-trees which lined the way, along which the fruit was piled into pyramids, ready for the waggons. After this, we crossed the Connecticut, a stream which gives its name to one of the eastern States, and soon afterwards began to clamber up a cleft in the hill, or what in fact was more like a South American Quebrada than any thing else—much steeper at all events than any road I ever saw attempted before in a wheeled carriage. At length the driver, declaring he could go no further, let us out, and pointed to a tolerably steep foot-path. We laughed to scorn this pigmy difficulty, and chuckled at the triumph over the bar-keeper and his predictions. By and by, however, the path took a bend, upon which the inclination became like that of a stair, with this material difference, that the steps on the mountain side were formed of loose stones, planted at such awkward distances from one another, that the effort necessary to establish a proper footing, was by no means trifling. Here I was, of course, obliged to hoist the young lady on my back,—and a weary tug we had of it!

The proverbial facility of descent, however, was any thing but easy in our case, and I really do not

know how we should ever have got down again—with whole bones, at least—had we not met a gentleman and his son, an active boy, ramblers like ourselves, and such obliging persons, that we scrupled not to accept their aid in our difficulties.

The beauty of the prospect from the summit of this noble hill, by completely arresting our attention, had rendered us careless about sundry threatening squalls of rain, which stalked slowly over the landscape, like enormous giants with their heads thrust into the clouds, and adding much to the grandeur of the scenery, both by their own majestic and half mysterious appearance, and by the long belts of shadow which trailed behind them for many a league. In the course of time one of these drizzly monsters advanced upon Mount Holyoke, and after drenching the village of Northampton beneath us, and setting all our friends, the haymakers and apple-gatherers, to the right about, took possession of the high ground, so as to shut us completely out from the wide world we had been admiring.

As there was nothing more to be seen, and the night was falling fast, it became necessary to retrace our steps without delay. The path, however, up which we had laboriously climbed, looked twice as steep as before; the stones, moreover, were nearly as slippery from the shower, as so

many blocks of ice, and consequently, the danger of tumbling far greater than in the first instance. A false step on the ascent would merely have brought our noses in contact with the ground, but a similar slip now might have pitched us headlong down the ravine. On reaching the inn at Northampton, the steps were let down by our friend the bar-keeper, who, as he lifted the exhausted little girl from the carriage, and observed the state of fatigue of the whole party, seemed half tempted to reproach us with our insensibility to his warning; but he managed his triumph with better taste, and merely smiled when I groaned out that he was the better prophet of the two.

On the 5th of October, we proceeded to Worcester, another of those very pleasing villages which are such an ornament to New England. Here the weather, that for some days had been fine, changed in the course of the night; and the wind, chopping about, blew so furiously, that when I looked out of the window next morning, a shower of leaves as thick as snow-flakes, but of all dies—red, orange, yellow, scarlet, and green, swept glittering by.

At Worcester I met a remarkably intelligent person, with whom I fell into conversation on the subject of manufactures, and the measure which was then in agitation, and has since been carried, of protecting, as it is called, the domestic industry

of that country by a new Tariff, or higher scale of duties on imported goods.

He contended that the manufactures of New England in particular, but also those of other parts of the Union, had grown up during the late war, when foreign goods were excluded, and had been enabled to flourish, more or less, ever since, in consequence of the protecting duties laid on foreign articles by the General Government. I was more anxious to hear his opinions than to give my own, and therefore merely made one or two commonplace remarks on the danger of tampering with such matters, and the evils which arose from governments attempting to lead industry by roads which it would not have followed naturally if left to itself. "Yes, sir," said he, "that is all true in theory, and quite suitable to those general principles which would be unerring guides, provided all the world were wise, and equally liberal and reasonable in such matters; but I put it to your candour to answer me this question,—How are the people of those parts of our country to live, where agriculture, in consequence of the inferior soil, is not a productive line of industry? What are we to do? And, on the other hand, with whom are the agricultural portions of our Union to exchange their produce? If all the world were open—well and good—but when you in England, for example,

shut the door against the introduction of American wheat and other bread-stuffs—what are the inhabitants of those sections of our country which raise grain in abundance, to do with their crops? They want manufactured goods—they have grain to give for them—but you who manufacture cheap things, will not accept the only payment they are competent to offer; and consequently they must apply to their own industrious countrymen of New England, who, by dint of great regularity of habits, and vigorous application, assisted, too, in a most remarkable manner, by an almost unbounded command of water-power for their machinery, as well as water-transport for their goods, are enabled by a moderate protection to compete—at least we trust we shall do so—with the superior skill and greater capital of England. Thus we shall not only afford ourselves a livelihood, superior to that which our comparatively barren soil can yield us, but we shall provide a market for those sections of our own country where the land is fertile, and where industry finds much more productive employment in bringing waste lands into cultivation, than it can in manufactures for a long time to come."

This argument may be very good for New England, but unfortunately, I fear, for that portion of the Union, its application extends but a little way over the whole country; at all events, this doc-

trine of protection is vehemently opposed by the Southern States, where the raw material is cultivated, and nothing manufactured; and where, of course, the object is to get the greatest return of goods, from any quarter—no matter what—in exchange for the products of their industry. The Americans of the South feel comparatively indifferent about how their eastern brethren employ their industry; and are apt to tell them to do as they have done for many years past, that is, to drain off to the westward, into those new and rich countries, which want only the stroke of a New Englander's axe to make them start into life and vigour. Such, indeed, has heretofore been the course of things in America; and I think it not unlikely that they must eventually return to the same channel, if the recent Tariff, passed avowedly for the immediate purpose of assisting one part of the community, and only prospectively for the benefit of the whole, shall not be able to resist the efforts of those parties who suffer under its operation in the meantime.

Should this Tariff, however, really be a good measure with reference to America, it will, of course, hold its ground in spite of its inconvenience—whatever that may be—to other countries. But I suspect it will be a hard matter to persuade the opposite parties, or those who do not benefit

directly by it, to lie upon their oars, and be contented with measures, of which the present effect is notoriously to make what they want dearer, and for any future change in which, they have only the interested promises of those very manufacturers, who flourish, say their antagonists, only at the expense of their non-manufacturing countrymen.

If New England were a separate and independent State, I can really discover no good argument in reply to the above reasonings. My friend, however, did not make out his point, I think, in defending the Tariff; but perhaps his argument may suggest another and equally important view, namely, that these Eastern States may really have within themselves the means of becoming an independent manufacturing country. But they cannot reasonably hope to accomplish such a purpose, even with all their local advantages, at the cost of the Southern States, while both are members of the same political body; while, if they were disentangled from such association, they would have to enter the market along with the competitors of Europe. How New England would be able to stand this, remains to be seen.

After all, it is probable, I think, that if there were no protecting duties at all, or very moderate ones, these matters would come to the same point, ultimately, and pretty nearly in the same interval of

time as they will do now. It is quite clear, that goods from England, or any where else, will not continue to flow into America, unless payment flows out of it, in some shape or other; and if the English manufacturer will not take the 'bread-stuffs' of the agricultural American States in exchange, while the New Englanders are willing to take them, what is to prevent the adjustment alluded to? This, if I understand it, is exactly what the manufacturers expect will eventually take place. "But in the meantime," say they, "until we are helped over the stile, and fairly placed in the market, by the exclusion of foreign competition, we cannot begin the race on fair terms." Perhaps the best policy of America would be the adoption of the lowest duty which would not entirely exclude foreign competition; not, of course, out of tenderness to foreigners, but simply because if this minimum point be exceeded—as it is loudly declared by a great part of the nation to have been by the late enactments—there seem to be obvious reasons why no reliance can be placed on the stability of the Tariff; and the capital which is turned aside by such delusive hopes, will be in some danger of perishing altogether.

Without entering into the morale of smuggling, I may observe, that all experience shows the utter impossibility of keeping out those goods

which the people wish to have, even from places beyond comparison more easily guarded than America. It is idle, indeed, to talk of any thing being permanently effective in this way, against the general wishes of the country, along such extensive lines of coast as those of the Gulf of Mexico and of Canada, to say nothing of what is called the sea board, or Atlantic shore. In the course of one day, I have passed along a district which a thousand custom-house officers could not have protected from such inroads for an hour. And I have repeatedly heard in American companies the details of projects which could easily defeat every such surveillance. As to any refined moral sensibility standing in opposition to such methods of making money, it is useless to say one word. In all parts of the globe, the moment taxes of any kind, and especially those which relate to the duty on foreign goods, become more severe than the sensible part of the nation think reasonable, the shame of smuggling is at an end. The only difference which practically takes place is, that the working hands are changed. The reckless Contrabandista takes the place and reaps all the profits, and generally a great deal more than the profits, formerly earned by the fair dealer—the difference being paid by the consumer; "for vice," to use the expression of an acute American reasoner on this subject, "is

always ready to fill up the gap left by misgovernment."

These very shocking doctrines are, of course, stoutly denied in the American legislature;—but I have seen too much of the difference which exists between promise and performance, in political matters, to distrust what experience has established in every other quarter of the globe; or to expect that, if smuggling can be made profitable in that country, the shame which attaches to it will not be soon frittered away.

The arguments drawn from the success which long ago attended a similar course of prohibitory regulations in England, will hardly apply to America, in consequence of most of the essential circumstances being dissimilar. During those times when, I grant, our commerce and manufactures did flourish under the exclusive system, we had things nearly all our own way, or with hardly any thing deserving the name of competition to oppose us; and it was really too much for flesh and blood to resist the temptation of profiting thereby. Now, if America can manage, by any system of tariffs, coast blockades, treaties, or other devices, to place herself in circumstances at all similar, she will be very foolish not to avail herself of those advantages which we found to flow from them. But is any approach to this possible, with such a rival as Eng-

land in the market—to say nothing of the Continental nations of Europe, which have lately entered the field of competition since the halcyon days of British monopoly were over?

In answer to this question, it may be urged, that America, in some senses, may be called an insular nation, and possesses other peculiarities besides the absence of neighbours, which cannot be imitated: such as the unbounded room in which her population may rove about. But it remains yet to be seen, how far these geographical distinctions which insulate her so much from the rest of the world, are capable of being turned to useful account. For my part, I really think we ought not to decide hastily upon such questions, as it may possibly be shown by time, that reasonings of great pith and moment, as applied to Europe, may have little or no reference to the political economy of a country so entirely different in some essential points of comparison.

The Tariff of 1828, which raised the duties on the import of English goods, was certainly at first a most unpopular measure over great part of the Union; and was received, in the Southern States particularly, with much loud indignation. Many threats of resistance were held out, all of which, as I understand, have since died away. The fact seems to be, there is too little concert amongst the mem-

bers of any party to such opposition, to carry their wishes through. But perhaps the chief explanation of this and many other similar instances of acquiescence, is to be found in the peculiar character of the American people, whose youth and elasticity carry them through these and many other temporary obstructions. It is not at all uncommon to see branches of trade entirely broken up,—for example, that with the British West Indies,—and yet no particular ill consequences follow. The persons engaged in those lines of business, speedily find some other occupation, and then their murmurs cease. This, however, is attributable to a very obvious national trait in the character of the American population: they are a people of shifts and expedients, always accommodating themselves to circumstances, never losing their own confidence, but ever ready to try something else, after a failure in one thing. This peculiar versatility and resource is inherent in the whole nation, but more particularly in the Northern and Eastern States, and may possibly have taken its rise from the privations and hardships suffered by their ancestors in the early occupation of the country.

In new settlements, where present comforts are all that are looked for, every difficulty is met by some ingenious and ready, though perhaps temporary expedient. From the small number of arti-

sans in such situations, too, the settlers are obliged to turn their hands to every thing; and hence they become capital Jacks of all trades. The result of causes acting so extensively over the country, taken along with other circumstances in their political and geographical situation, is the formation of a race of people prompt to adopt new trials of skill, and who are not likely to be depressed or permanently injured by changes in the direction of commercial enterprise; or, indeed, by any of the ordinary reverses of fortune.

At the same time, there has sprung up amongst them a habit of shrewdness, which is generally dignified by the name of intelligence, in close connexion with the universal habit of bargaining, which soon makes them adepts in every business they undertake. In the early years of American colonization, the adoption of these qualities was almost indispensable to their existence, as means of self-defence, when surrounded by the dexterous savages of the wilderness. And although the aborigines have entirely disappeared, the same principles of action, under various modifications, are still, very often, found necessary to success, in a country where all men are engaged in one and the same engrossing pursuit—namely, that of making money.

CHAPTER VI.

On Saturday, the 6th of October, 1827, just as the sun was dropping behind the ranges of hills through which we had passed the day before, we came in sight of the goodly city of Boston, the capital of Massachusetts, and the great northern rival to the Port of New York. A high moslem-looking dome in the centre of the town, surmounting the State House, which is placed on the most elevated point of ground, was of course the last which kept sight of the sun. But we were still in time to enjoy about ten minutes' illumination of the numerous spires, and other high buildings, ranges of streets, and long bridges, three or four in number, which connect several distinct ranges of suburbs with the peninsula upon which this beautiful town is built. One of these districts, called Charlestown, claimed our particular attention, from its standing at the bottom and partly on the side of the celebrated Bunker's Hill.

As our object on arriving at any place was always to see, as soon as possible, whatever was most remarkable, we gladly availed ourselves of a friend's convoy to one of the Unitarian churches, on the next day, Sunday, the 7th of October, when a celebrated champion of these doctrines was to preach.

A considerable change, it appears, had taken place at Boston, of late years, in the religious tenets of the inhabitants; and Unitarianism, or, as I find it called in their own publications, Liberal Christianity, had made great advances, chiefly under the guidance of this distinguished person.

The pastor had just returned to his flock after an absence of some months, and took advantage of the occasion to review, in a rapid manner, the rise and progress, as well as the peculiar nature, of the doctrines he so powerfully advocates. He struck me as being, in many respects, a very remarkable preacher; particularly in the quietness, or repose of his manner. How far this proceeded from the simplicity of his thoughts, or from the unaffected plainness of his language, I cannot exactly say; but the power which it gave him of introducing, when it suited his purpose, occasional passages of great force and richness of expression, was one of which he availed himself with much skill. It was manifest, indeed, that the influence he held, or appeared to hold, over the minds of his

hearers was derived mainly from their reliance on his sincerity, whatever some of them might have thought of his doctrines. The tone of his voice was familiar, though by no means vulgar; on the contrary, it might almost be called musical, and was certainly very pleasing to the ear; but whether this arose from the sounds themselves, or from the eloquent arrangement of the words, I never thought of enquiring, as I was carried along irresistibly by the smooth current of his eloquence.

He began by greeting his friends with great suavity of address; and if there did appear a little touch of vanity in the implied importance which he attached to all that concerned himself in the eyes of his flock, it partook not in the slightest degree of arrogance, but was very allowable, considering the real influence he had so long enjoyed. Indeed, from what I saw and heard, I should think he rather fell short than exceeded the limits to which he might have safely gone, when speaking to his congregation of the feelings, the hopes, and the fears, which rose in his mind on returning to his wonted duties, with health somewhat repaired, but not restored. At first, this familiarity of tone, and almost colloquial simplicity of expression, sounded so strangely from the pulpit, that the impression was not altogether favourable, but there soon appeared so much real kindness in all he said, that

even we, though strangers, were not untouched by it.

He then gradually embarked on the great ocean of religious controversy, but with such consummate skill, that we scarcely knew we were at sea till we discovered that no land was in sight. After assuring us that he had been called to the front of the battle, though, in truth, he was a man of peace, and a hater of all disputation, he described, with singular effect, the impression left on his mind, one day recently, by hearing a discourse in a country church where narrow views of mental liberty had been inculcated. Nothing certainly could be more poetical than the contrast which he drew between the confined doctrines he had heard within the walls, and what he eloquently called the free beauties of thought and of nature without.

By the time the preacher reached this part of his discourse our curiosity was much excited, and I, for my own part, felt thoroughly caught, and almost prepared to go along with him into any region he pleased to carry me.

He next gave us an account of his share in the progress of the controversies to which he alluded, and explained again and again to us, in a variety of different shapes, that his great end in advocating the Unitarian, or Liberal doctrines, was to set the human mind entirely free on religious subjects,

without any reference, he earnestly assured us, to one sect more than to another, but purely to the end that there might be, in the world at large, the fullest measure of intellectual independence of which our nature is capable. He spoke a good deal of the Christian dispensation, to which, however, he ascribed no especial illuminating powers, but constantly implied, that every man was to judge for himself as to the degree and value of the light shed by Revelation. Reason and conscience, according to his view of the matter, ought to be our sole guides through life, and the efficacy of our Saviour's atonement was not, as far as I could discover, even once alluded to, except for the purpose of setting it aside. He earnestly exhorted his hearers not to rely entirely upon the Scriptures, nor upon him, their pastor, nor upon any other guides, human or divine, if I understood him correctly, but solely upon the independent efforts of their own minds. Our Saviour, as "the first of the Sons of God," he held up as an example worthy of all imitation; but the indispensable necessity of his vicarious sacrifice, was clearly denied.

The Christian religion, he told us, as first preached by the Apostles, was well suited to those early times. But, according to him, it soon became corrupted, and was never afterwards purified, even

at the Reformation. Much, therefore, still remained to be done; and one step in this great work, he led us to infer, was actually in progress before us, in the extension of Unitarianism.

As it is quite foreign to my purpose to enter into the details of this controversy, I have merely mentioned, as impartially as possible, what seem to be the leading points of a doctrine which has obtained a complete ascendency in one of the most enlightened parts of the country, and is rapidly spreading itself over the United States, in spite of the efforts of the Episcopal and Presbyterian Churches. Under their banners, indeed, I have the satisfaction of saying, there are collected men of the most eminent piety, and ardent devotion to the service of religion, who, I am well convinced, from all I saw and heard, are as zealously bent on defending the sacred cause intrusted to their hands, as any body of men in the world. I make this assertion respecting the American Clergy without reservation of any kind; for it is my firm belief, after the most attentive observation and enquiry, that as far as in them lies, the cause alluded to will not be neglected.

But the Church, most unfortunately, I think, for that country, is unconnected with, and unsupported by the State. Neither can it, by any possibility, under the present arrangements, derive as-

sistance, direct or indirect, from government, nor can the Church, in turn, render back any services to the State. Without at present entering upon any discussion as to the theory of the alliance between Church and State, I simply mention the fact, that in America there is no such union, either tacit or formal. The evils which the absence of this important connexion brings on the nation are, according to my view of the matter, twofold in kind, one affecting the civil administration of affairs, the other influencing religious sentiment.

But I expressly defer entering into the arguments upon this subject, till I shall have described those facts, moral and political, upon a knowledge of which these reasonings must be grounded, in order to be useful, or even intelligible. In the meantime, however, I may state, with reference to the particular topic under consideration, that it has never before fallen in my way to examine with attention the subject of Unitarianism; and I suspect, from all I could learn, very few, even of this clergyman's regular congregation, have either time or application, or the means in other respects, of giving the question that full and independent examination which he himself recommended, and in fact stated, in my hearing, to be absolutely necessary to a right comprehension of the subject. Still, even if his congregation really had such opportu-

nity of leisure, I imagine there is abundant analogy to bear me out in the belief that, in the end, so far from their all being of one mind, no two of the investigators would land in the same persuasion. And I greatly mistake the state of the fact, if this conviction have not, at bottom, a place in the minds of almost all this great orator's hearers; who, therefore, so far from attending to his recommendation of exerting their own powers, and their own knowledge, towards the formation of a religious sentiment for themselves, are merely led along, unresisting captives to their pastor's eloquence.

The truth is, independent thinkers, on any subject, are not so easily made as this discourse seemed to imply; and fortunately it happens, that it is least of all on subjects connected with the foundations of religion that men are inclined, even if they had it in their power, to make an exception to this rule. In proportion, therefore, as this circle of Liberal Christians is extended, so, I suspect, will increase the number of those who, as they either cannot, or do not choose to take the matter into their own hands, will freely give the reins of their imagination into those of any preacher who, as in the present instance, from his pre-eminent talents, disinterestedness, and virtuous life, may seem competent to guide, or at all events to

please them; while, in point of fact, their religious thoughts and opinions, however they may have strayed from the faith of their fathers, are not one whit more independent than before.

I have perhaps dwelt on this subject longer than at first view may appear necessary; and most assuredly, I should not have entered upon it at all, had I not been forcibly struck with an important analogy between the doctrines of this Liberal Christianity, and those principles of government which have gained, by gradual advances, the entire political ascendency in America. Unitarianism, as I heard it laid down at Boston—and I am acquainted with it in no other shape—may, I conceive, fairly be called, without any thing disrespectful, the Democracy of Religion; for while it affects to teach men to cherish entire mental independence, it disentangles them totally from that allegiance and reliance upon the merits of their Saviour, which Revelation inculcates on the minds of all those who believe in his divinity, as the surest, indeed the only solid ground-work of their hopes; whereas the doctrines referred to above, send us back, in a vicious circle of unsubstantial reasonings, to the shallow fountains of our own unassisted thoughts, for what certainly cannot be found there. I am firmly persuaded, therefore, such principles, sooner or later, must lead, in

any country that adopts them generally, to as portentous changes in questions of religion, as those which civil democracy, if I may so call it, has already brought about in every country whose people have tried the very perilous experiment of direct self-government.

I have the less scruple in stating my opinions with respect to the probable effects of the diffusion of these doctrines, from finding the same expectation as to the probable extension of Unitarianism advanced with complacency in various American publications. In that country the popular cast of the religious institutions and discipline is already very great, while the facilities of further change are so inviting, that these liberal doctrines, from harmonizing so well with every thing else, are almost sure of ultimate success.

The difference between America and England in the important point of church government, appears to be simply this:—With them religion, like every thing in the country, is left to take its own course; we, on the other hand, have chosen to collect together the experience which has resulted from long ages of trial and discussion, and to fix this condensed knowledge in one solid fabric. By means of the powerful Establishment so constructed, any violent or radical alterations in doctrine or discipline, are rendered well-nigh impossi-

ble, as far at least as they affect the mass of the community; while, at the same time, all persons who may not choose to go along with the Church, are left at perfect liberty to exercise their birthright, and think and act for themselves.

In these respects, indeed, the Church of England has the good fortune—in which the rest of the country far more than equally participate—of being diametrically opposed, in every circumstance, to the religious institutions of America. Changes with us, it must be remembered, are proverbially difficult in all things—in matters relating to the Church, pre-eminently so. And I trust, before the close of this work, I shall have no difficulty in showing in what manner this long-continued stability in the most important branch of the English Government—this type of the Rock of Ages—has contributed to fix the national character; and also how confidently, as long as the Established Church retains its ascendency, avoiding carefully all internal changes, and setting popular interference with its constitution at defiance, we may likewise predict the permanency of every thing else we hold dear in the country.

CHAPTER VII.

As we had brought upwards of twenty letters of introduction to different persons in Boston, we thought at first of sending only a few, selected from those which seemed most likely, from what we had heard, to prove useful. But, upon consideration, we found this required a greater knowledge of the parties than we possessed; so we merely wrote our address upon each letter, sent out the whole batch, and sat still to watch the result. The sun was scarcely down before a considerable number of visitors came to us, amongst whom was one very distinguished person, whose conversation struck me as superior to what I had before heard in America. We soon fell to work, and for several hours kept up a smart discussion on the never-ending topic of our respective countries; but all in perfect good-humour, and, I hope, in a spirit of mutual and friendly allowance for the wide difference of circumstances between us.

It is amusing enough, by the way, to observe, that whenever an Englishman and an American meet in that country, they seem to fancy it a point of conscience to put their lances in rest at once, and try to unhorse each other, with or without further subject of dispute, like the Knights in the Fairy Queen, at every rencounter, whether of friend or foe.

But for all this, I cannot say that during the Journey I met with any thing that gave me more pleasure than this interview, or which I found more useful afterwards. Heretofore I had often had occasion to regret the contracted and distorted kind of acquaintance which, in spite of all their declarations to the contrary, some of the best-informed persons appeared to have of the operations of the English system of government, and of society generally. Here, at last, thought I, is a man whose knowledge is not confined to the superficial aspect of things, but who really goes into their spirit; and, if he cannot be expected to feel like us, he at least understands what we feel. In this manner we went over many points of comparison between the two nations; and though we by no means took the same view of matters, we each saw distinctly what the other meant,—which, next to convincing your antagonist, or being yourself convinced, is the greatest pleasure such discussions can

afford. Accordingly, if my highly-informed friend had taken leave at this stage of our intercourse, I might have written down in my notes, that at length I had met an American who, with reference to England, understood the operation of those circumstances which, as we think, give permanent stability to governments, as well as virtue and freedom, and consequently happiness, to mankind. Unfortunately, however, just as he had taken his hat, and was leaving the room, he paused, and said, "After all, notwithstanding these admirable balances, effective distinctions in rank, and other sources of remedy for admitted evils, and, in spite of your practical freedom, the real power on the part of the people, and actual responsibility of the governing parties, there are moments when I have some misgivings,—some distrust of the permanence of your system,—and when, I confess to you, I expect to see the whole of that singular piece of political machinery, which has withstood the tear and wear of ages, broken to pieces."

"Indeed!" I exclaimed. "I did not expect to hear this, considering how correctly you appear to have understood the way in which all things work themselves clear in that country, happen what may. But pray, tell me what are the circumstances which you think threaten the stability of the present order of affairs in England?"

"Why," said he, smiling, as if half ashamed to express what he felt strongly, "I do sometimes imagine, when I read of your Manchester riots, and the prevalence of your radicalism, that a body of those desperate men, say thirty or forty thousand, will march to London, and overturn the Executive Government, the Throne, and the Constitution!"

My first impulse was to enter into some explanation of this mistake; but in the next moment I felt how utterly hopeless such a task must be, where the substratum of radical error was so deep. I merely, therefore, smiled in return at the destruction of the grand expectations I had formed of having met with one American who was aware how such matters were managed elsewhere—and I am not sure that I ever again reached so near the mark of what I should consider just information, as I had done upon this occasion.

Subsequent and more careful reflection, however, upon this anecdote, has taught me to suppose it by no means impossible that many of my own views, with respect to America, may be equally open to ridicule in that country, as this idea of the Radicals marching to London is with us. It is quite natural, indeed, that the native of a country governed by the people at large should hold the Radicals in respect;—but the influence due to rank,

which we reckon upon as something, they may hold as cheap as we do the shouts of a mob.

On Sunday evening, we set out, under the guidance of one of our fellow-lodgers, to stroll over the town, and in the course of our ramble visited the new market, an extensive building of granite; and afterwards perambulated many of the wharfs and other parts of this cheerful-looking city. Nothing we had yet seen in America came near to Boston in the cleanliness, neatness, and, in many instances, the elegance of the streets. The greater number of the buildings were of brick; but being painted of different colours, the staring red was exchanged for a tone of colouring every way pleasing to the eye. The lower story of many of the houses was of granite, though some were built entirely of that stone. Several dwellings which stood apart from the rest, looked particularly comfortable, and such as would have been considered handsome in any part of the world. There was, moreover, a fine Mall, or public promenade, called the Common, laid out in grass fields, surrounded and intersected by broad gravel walks, stretching under rows of trees, altogether as pretty a place in its way as I ever saw in the heart of a town.

On the morning of the 8th of October, we had a crowd of visitors brought to us by the letters sent out the day before; and all not only willing to give

us advice as to our proceedings, but to lend us their personal assistance in viewing the Lions. Every one, indeed, was naturally anxious that we should see things in the most favourable light, and, of course, fancied he could do the honours most successfully in that respect. This was very agreeable; and the only difficulty, by no means a small one, was to settle what we should see first, and under whose patronage. One gentleman recommended us to go at once to the 'Factories' at Lowell, twenty-five miles off. Another exclaimed, "The thing best worth seeing, is our navy yard at Charleston." A third said, "O no! our hospitals certainly are by far the most interesting objects of curiosity for a stranger." Thus our time was speedily and pleasantly apportioned.

In the course of the day, a gentleman gave us a very interesting account of a species of commerce peculiar, at least on so great a scale, as far as I know, to the United States—I mean the transport by sea of large quantities of ice. This trade is carried on chiefly to the Havannah in the West Indies, and to Charleston in South Carolina. Upwards of twenty years ago, a gentleman of most praiseworthy enterprise hit upon this idea, which he has pursued ever since with great activity, and, eventually, with success, though in its progress he had many difficulties to encounter. There is no

particular care taken to preserve the ice on board, except that the ship is cased inside with planks to prevent it coming in contact with the ceiling. The ice, cut into cubes 18 inches each way, is carefully packed by hand. The loss by melting on the voyage is sometimes one-third of the whole, though it often arrives with no perceptible diminution. My informant told me, that when the ice is embarked in winter, with the thermometer at zero, or below it, and the ship has the good fortune to sail with a brisk, cold, northerly wind, not a single pound of the cargo is lost. As the temperature of the ice on shipping it is sometimes 30 degrees below the point at which it begins to melt, a considerable expenditure of cold must take place, and consequently a certain amount of time elapse, before it begins to lose weight; so that, if the voyage be short, the entire cargo is saved. On the other hand, if it be embarked from the ice-houses of Boston in July, with the thermometer at 80° or 90°, the melting process will have already commenced; and if the ship be then met by a southerly wind against her, or get drifted into that immense current of hot water flowing out of the great Bay of Mexico, known by the name of the Gulf Stream, the whole slippery cargo is apt to find its way overboard—via the pumps—before the voyage is half over.

Of late years, no less than three thousand tons

of ice have been shipped annually from Boston to the South, a fact which affords a curious illustration of the power of commerce to equalise and bring together, as it were, the most distant climates. We are so familiar with the ordinary case of oranges, which we buy on the lowest stalls for three a-penny, that we almost forget they are not natives to our own soil, and that it is far beyond the reach of art to make them so. But it must go hard with the fancy of a person who sees it for the first time, if he be not struck with the fact of his being able to buy ice almost as cheap in the streets of Charleston, as he can in those of Quebec.

On the 10th of October, I visited Harvard college, or, as it is sometimes called, the University of Cambridge, two or three miles out of Boston. I had the good fortune to see this establishment under the guidance of a man of sense and learning, possessed also of an extensive knowledge of many other parts of the world, from actual observation. As he readily acceded to my wish to be allowed to look over the whole without any previous notice being given of my visit, I amused myself by going leisurely from class to class, where I found the students all busily engaged at their ordinary work. There seemed to be much assiduity on the part of the pupils; and I have seldom seen more anxiety any where, than was evinced by

the Professors of this University to keep alive, amongst the young men, the proper degree of enthusiasm in the pursuit of knowledge.

During the day we were joined by a party of ladies; and in their company we perambulated the museum and the library, both establishments of great and merited celebrity in America;—the library, in particular, which, I am told, is very rich in valuable and rare books.

On returning to town, half drowned in the deluges of rain which had been falling all the morning, we were much amused with the apologies made to us, by every one we met, for the state of the weather—as if they could help its raining and blowing! I think I have already given some touches of what may be called the defensive system of entertaining strangers in America. These tactics were brought into great play at Boston, where many of our friends seemed to take it for granted—though without any reason—that we were watching for objects of censure; and therefore they ran beforehand with excuses and explanations, respecting things which, if left alone, we should either not have noticed, or been indifferent about. I have already mentioned that they often prompted us to overpraise, and helped us to draw comparisons favourable to themselves and their country, at the expense of our own. But here was a new source of mutual worry; for

almost every person was in the fidgets about the bad weather; not at all on account of its inconvenience either to themselves or to us,—that seemed quite a subordinate consideration,—but purely as it acted against their nationality, by making us suspect their climate was not much better than that of England.

In general, the month of October is very fine in that part of the country—at least so we were told a hundred times—and we should have believed the fact implicitly upon one tithe of these assurances, had not doubts been raised in our minds by this incessant show of irritation at the poor elements, for daring to belie the fine speeches made in their favour. We really did not care two straws about the matter, and, if nothing had been said, would not have minded what could not be helped; for we were far too much interested by the novelty of all we saw, and far too grateful for the hospitality which met us at every turn, to think of drawing those offensive comparisons between the two climates, with which the good people of Boston fancied our heads were full, when, in truth, it was only our wet feet that gave us any concern.

So far were we from indulging in this disrespectful turn of mind, that, ever since coming to Boston, we had been more struck, and confessed ourselves to have been so, with the degree of taste and

luxury in all we saw, both in the external appearance of the houses, and in the good sense and good manners within, than with any thing we had before met in the United States. Our friends seemed to vie with one another, as to who should be most useful or attentive to us, by placing balls, evening parties, and morning excursions at our disposal. These opportunities afforded such ample means for studying the character of the people, that I might easily describe in what the difference consists between American and European manners. But there is always, I think, more or less, a breach of confidence in such descriptions, however generally or however delicately expressed. And this is true, even where praise alone is used. Strangers should recollect that they are admitted not as spies, but as friends, into such circles; and, it appears to me, they are no more at liberty to make use of that privilege to publish their remarks on the company, because they are only temporary members of it, than they would be, were they permanent residents on the spot.

On the same principle, I shall often pass over in silence many other things relating to the manners and customs of America, some of which might be more instructive, if not quite so amusing, as the gossip just alluded to. I suspect, after all, that in order to understand the delicate subject of domestic

society fully, it must be examined and re-examined on the spot; and those who trust to the eyes of travellers must always take their chance, at the very best, of hearing accounts far short of the reality. Each anecdote or other detail which is related, may be quite true in itself, as far as it goes, and be also quite faithful to the general ideas left on the writer's mind; but still the conceptions which a reader forms by such assistance may be totally different from the truth, and often far wide of the impression which the writer proposes to leave. In this dilemma there is but one resource—a journey to the country itself.

On the 11th of October, I visited the General Hospital, a large and well-ventilated granite building, abundantly roomy and well-ordered in every part. Indeed, I hardly ever saw an establishment of the kind which could pretend to rival it, except, perhaps, the Infirmary at Derby. I accompanied one of the physicians for some hours during his round of visits, attending to all the details of the daily routine, without which it is impossible to form a correct idea of the internal discipline of such an institution. Of course, I can only judge of the general merits of matters so much out of my own particular line; but, certainly, few men-of-war are better regulated than this excellent hospital appeared to be.

I had a still better opportunity of judging of its arrangements about ten days afterwards, when I witnessed the performance of what the surgeons call a grand operation. The attendant circumstances incident to a piece of real service, as this may be called, it is of course out of any one's power to get up for show. Accordingly, I made it my business, however painful the effort, to be present on the day appointed. I can be no judge of the skill displayed upon this occasion by one of the ablest, if not the very ablest operator in America. But I feel quite competent to judge of those subordinate circumstances, which, if they be not so striking to the unpractised eye, are yet, perhaps, even more severe tests of the merits of a public institution, from their influence—good or bad —being more extensively felt. And I am certain that nothing could be more perfect in all their parts, than these important details.

On the 12th of October, we made an expedition from Boston to the largest manufacturing establishment in New England, or, I suppose, in America, at Lowell, on the banks of the Merrimack. This river had been allowed to dash unheeded over the Falls in that neighbourhood, from all time, until the recent war gave a new direction to industry, and diverted capital heretofore employed in commerce or in agriculture, into the

channel of manufactures. A few years ago, the spot which we now saw covered with huge cotton mills, smiling villages, canals, roads, and bridges, was a mere wilderness, and, if not quite solitary, was inhabited only by painted savages. Under the convoy of a friendly guide, who allowed us to examine not only what we pleased, but how we pleased, we investigated these extensive works very carefully.

The stuffs manufactured at Lowell, mostly of a coarse description, are woven entirely by power looms, and are intended, I was told, chiefly for home consumption. Every thing is paid for by the piece, but the people work only from daylight to dark, having half an hour to breakfast and as long for dinner. The whole discipline, ventilation, and other arrangements, appeared to be excellent; of which the best proof was the healthy and cheerful look of the girls, all of whom, by the way, were trigged out with much neatness and simplicity, and wore high tortoise-shell combs at the back of their heads. I was glad to learn that the most exemplary purity of conduct existed universally amongst these merry damsels—a class of persons not always, it is said, in some other countries, the best patterns of moral excellence. The state of society, indeed, readily explains this superiority: in a country where the means of obtaining a livelihood are

so easy, every girl who behaves well is so sure of being soon married. In this expectation, they all contrive, it seems, to save a considerable portion of their wages; and the moment the favoured swain has attained the rank of earning a dollar a-day, the couple are proclaimed in church next Sunday, to a certainty. The fortune, such as it is, thus comes with the bride; at least she brings enough to buy the clothes, furniture, and the other necessaries of an outfit.

Generally, however, these good folks, as well as many of the more wealthy class of the community, do not think of setting up an establishment of their own at first, but live at boarding-houses. This apparently comfortless mode of life, is undoubtedly far the most economical; besides which, it saves the mistress of the family from the wear and tear of domestic drudgery, always unavoidably great in a country where menial service is held to be disgraceful. What happens when a parcel of youngsters make their appearance I forgot to enquire; but before that comes about to any great extent, the parties have probably risen in the world; —for every thing in America relating to population, seems to be carried irresistibly forward by a spring-tide of certain prosperity. There is plenty of room—plenty of food—and plenty of employment; so that, by the exercise of a moderate share

of diligence, the young couple may swell their establishment to any extent they please, without those doubts and fears, those anxious misgivings, which attend the setting out of children in older and more thickly peopled countries! In America, an urchin, before he is much bigger than a cotton bobbin, is turned to some use. By and by, when he gets tired of school, he turns mutineer, buys an axe, and scampers off to the western forests, where he squats down on the first piece of land which pleases him. He forthwith marries, and rears up a nest-full of children; who, in due course of time, play a similar round of independent pranks, and reap the same roving sort of success, in the same broad world which is all before them, where to choose their place of unquiet rest.

On the 13th October, at six o'clock in the morning, I was awakened by the bell which tolled the people to their work, and on looking from the window, saw the whole space between the 'Factories' and the village speckled over with girls, nicely dressed, and glittering with bright shawls and showy-coloured gowns, and gay bonnets, all streaming along to their business, with an air of lightness, and an elasticity of step, implying an obvious desire to get to their work.

I was called away from this gay scene by a summons from our host to accompany him in his gig

to inspect the hydraulic works, Anglicé, the mill-dam, by which the water is brought from the river above the Falls to the manufactories, which stand a mile or two below the cascade. Every thing hereabouts looked determined and business-like, as if the whole had been guided by one clear head. A stream capable of giving motion to forty or fifty cotton-mills was brought through the forest to a reservoir, from whence it was distributed at pleasure to the numerous establishments starting up on every hand. Several school-houses were pointed out to me, and no less than three churches;—besides innumerable boarding-houses, taverns, newspaper offices, watch-makers, book-shops, hatters, comb-makers, and all the family of Stores, every one of them as fresh and new as if the bricks had been in the mould but yesterday.

I was much pleased to see a great brewery starting up like a Leviathan, amongst this small fry of buildings; and still more pleased when I learnt from my friend that there were hopes of being able to substitute malt liquor among the cotton-mill population, in place of the abominable ardent spirits so lamentably prevalent elsewhere.

I walked over these flourishing establishments, I can honestly say, without any admixture of jealousy; though, had I thought the success of Lowell likely to prove seriously detrimental to

Manchester or Preston, I am not such a furious citizen of the world, or itinerant philanthropist, as to have viewed its progress with unmixed pleasure. But I had no such fears. These industrious people, it must be recollected, are manufacturing for their own home markets; and I imagine a very large proportion of the English manufactures are likewise made for home consumption. At all events, there is room enough for us both. Agriculture is now, and must continue for many years to come, the most productive method of employing capital in America. And this is not the less true because, here and there, individual activity, and the powerful momentum of capital, avail themselves of some accident, such as that of the late war, or take advantage of some favourable natural position, and, by pressing the powers of nature into their service, at the right period of time, overcome many difficulties which would arrest the progress of ordinary men possessed of ordinary means. But unless those general principles which, in spite of all legislation, regulate commerce, manufactures, and every other species of money-making, be really attended to in these matters, no such speculations can succeed in the long run.

The cheapness of labour, the facility of getting money, and, above all, the low rate of profits with which manufacturing industry is content to be

rewarded in England, compared with the high wages, the large profits, and the comparative small amount of capital in America, must, probably, for a time, give to the British manufacturer the power of competing successfully in foreign markets with the Americans. And as to what shall take place in their own markets, I have not the least doubt that adjustments will ere long be made which a thousand Tariffs could not materially interfere with.

CHAPTER VIII.

After breakfast, on the 13th of October, 1827, we left Lowell, and shaped our course across the country to Salem, a town on the sea-coast, 14 miles from Boston, in a North-Easterly direction, long well known to the commercial world as one of the most enterprising ports in America, and the first, I believe, to bring into notice the advantages of the trade to China, India, and the Eastern islands. So much, indeed, if I am rightly informed, had these spirited New Englanders of Salem taken the start of the rest of their countrymen, that for many years they were the great suppliers of tea, spices, and other India goods, even to New York, now the maritime mistress of the Western world. It is most interesting, however, to observe, that although that channel, and indeed every other, is choked up by competitors, still the ships of Salem contrive to maintain some portion of their ancient

ascendency by dint of their unbroken energy and perseverance, qualities which as yet, it is said, are undazzled by the glitter of those new and less substantial promises of gain, by which so many of their countrymen elsewhere have been led astray.

At a country inn, bearing the English name of Andover, close to the Indian river Shawsheen, I observed the following printed bill stuck up in the bar :—

SPORTSMEN, ATTEND!

300 FOWLS

Will be set up for Sportsmen at the Subscriber's Hotel, in Tewksbury, on
Friday, the 12th October, instant,
at 8 o'clock, A. M.

☞ Gentlemen of Tewksbury, Lowell, and the vicinity, are invited to attend.

Oct. 10th, 1827. WILLIAM HARDY.

This placard, which was utterly unintelligible to me, will, I daresay, be not less so to most people on this side of the water.

The landlord laughed at my curiosity, but good-humouredly enlightened my ignorance by explaining that these shooting matches were so common in America, that he had no doubt I would

fall in with them often. I never had this good fortune, however; and I regretted very much having passed only one day too late for this transatlantic battu. It appears that these birds are literally barn-door fowls, placed at certain distances, and fired at by any one who chooses to pay the allotted sum for a shot. If he kills the bird, he is allowed to carry it off, otherwise, like a true sportsman, he has the amusement for his money. Cocks and hens, being small birds, are placed at the distance of 165 feet; and for every shot with ball, the sportsman has to pay four cents, or about twopence. Turkeys are placed at twice the distance, or 110 yards, if a common musket be used; but at 165 yards, if the weapon be a rifle. In both these cases, the price, per shot, is from six to ten cents, or from threepence to fivepence.

We reached the town of Salem in good time for dinner; and here I feel half tempted to break through my rule, in order to give some account of our dinner party; chiefly, indeed, that I might have an opportunity of expatiating—which I could do with perfect truth and great pleasure—on the conversation of our excellent host. For I have rarely, in any country, met a man so devoid of prejudice, or so willing to take all matters on their favourable side; and withal, who was so well informed about every thing in his own and in other

countries, or who was more ready to impart his knowledge to others.

To these agreeable attributes and conversational powers, he adds such a mirthfulness of fancy, and genuine heartiness of good-humour, to all men, women, and children, who have the good fortune to make his acquaintance, that I should have no scruple—if it were not too great a liberty—in naming him as the person I have been most pleased with in all my recent travels.

After dinner, we repaired to the Museum, the rich treasures of which have been collected exclusively by captains or supercargoes of vessels out of Salem, who had doubled one or other of the great southern promontories—the Cape, and the Horn, as they are technically called by seamen. As my eye fell on numberless carefully cherished objects, which I had often seen in familiar use on the other side of the globe, my imagination revelled far and wide into regions I may never live to see again!

It was quite dark before we got back to Boston, where next day we recommenced our round of sight-seeing, which we pursued with such industry, that in the course of a week, hardly a single institution was left unvisited. Rope-works—printing-offices—houses of correction—prisons—hospitals—penitentiaries—schools—alms-houses—Navy and building yards, passed in quick, but not

in careless review before us. All that our friends desired us to see, we made a point of seeing. It mattered not what it was we wished to examine; scarcely was the wish expressed, when immediately some one left his business at a minute's warning, to become our zealous and useful guide. All this busy intercourse brought us into very pleasing habits of acquaintance with the good citizens of Boston, with whose manners, appearance, and style altogether, we were much taken.

In the Navy yard we saw two line-of-battle ships, one frigate, and one sloop of war, on the stocks; all ready to be put into the water at a month or six weeks' notice. The frames of these fine ships were of live oak, as well as the keels, transoms, and other essential large timbers, including the beams before and abaft the masts; the rest was white oak. The line-of-battle ships were about the size of His Majesty's ship Ganges, but without poops. A dry dock, which, when completed, is to be 210 feet long, is in progress, under the management of a skilful engineer whom I had the satisfaction of meeting on the spot. With that absence of all idle concealments which I found every where in America, this gentleman produced his plans before me, and we discussed together the pros and cons of such matters, as if the whole were merely an abstract question of scientific engineering,—to the entire

oblivion of national rivalries. Nothing, certainly, is more agreeable than such confidence.

While we were chatting away in this familiar style, we were joined by the naval officer in command of the Station, an old and valued friend of mine, with whom I had formed an acquaintance in other countries, such as no circumstances of peace or war, I trust, will ever diminish.

The naval officers of America form, necessarily, as it always appeared to me, a class somewhat more distinct than any other from the rest of the community; for they are the only persons in the country whose whole lives are passed in permanent habits of subordination. In fact, they are almost the only men by whom the practical value of those inequalities in rank, which the rest of the American world deride, are admitted to be important. Every one, I suppose, is aware, that a ship of war whose discipline is not strict, especially in those branches of it which consist in keeping up strong lines of distinction amongst the officers, must, as a matter of course, be worse than useless; for, instead of being able to do the country honour, she cannot fail to bring it into disgrace, at moments of trial. Of the truth of these principles all parties in America are so well aware, that any tampering with naval discipline, whatever may be done in the army, has not been seriously thought of; consequently, a very

rigid system—probably not too rigid, but still a very strict system—continues to be observed in their ships of war. The effect even of this, indeed, would be inconsiderable upon persons exposed to it only for a time; but when applied to the whole life, it must of necessity give a distinguishing character to the whole class subjected to its influence.

I have reason, indeed, to believe, from what I saw and heard, that the American discipline, especially as applied to officers, is more stern than in the British navy, and for a reason which, I think, will be admitted the instant it is stated. With us, the supply of officers comes from a society not only familiar with the theory of ranks, if I may say so, but practically acquainted with those artificial distinctions in authority, the acknowledgment of which forms the very life and soul of a fleet. Consequently, whether it be at first starting, or in after years of professional life, naval officers with us meet with nothing, in their intercourse with general society on shore, to weaken the habit of subordination taught on board ship. The details of obedience may be different afloat and on shore—just as the duties are essentially different—but the principle of paying respect to the distinctions of rank, without any attendant feeling of degradation, is thus quite easily kept up amongst English officers,

at all times and seasons, whether they be on the water or on land. But a young American officer, when he comes on shore to visit his friends, and goes to the back woods, or front woods, or any where, indeed, will hear more in one day to interfere with his lessons of dutiful subordination, than he may be able to recover in a year of sea service. Unless, therefore, the system of discipline on board be not only very strict, but of such a nature as to admit of no escape from its rules, the whole machinery would fall to pieces. Democracy, in short, with its sturdy equality, will hardly do afloat!

I heard a story at Washington, which is in point to this argument. A midshipman of an American ship-of-war, having offended in some way or other against the rules of the service, fell, of course, under his Captain's displeasure, and was reprimanded accordingly. The youth, however, not liking this exercise of authority, announced his intention of 'appealing to the people;' which determination was forthwith reported to head-quarters. By return of post, an order came down to say, that Mr So-and-So, being the citizen of a free State, had a perfect right to appeal to the people; and in order to enable him to proceed in this matter without official entanglement, his discharge from the Navy was enclosed.

Great care is taken in the selection of persons

wishing to enter the Navy; and these gentlemen are also exposed, afterwards, to frequent and rigorous examinations: by which means incompetent persons are excluded. Be the causes, however, as they may, I can only state, that the American naval officers are pleasant persons to associate with; and I reflect with great pleasure on the many professional acquaintances I was fortunate enough to make in that and other countries. I also look forward with equal confidence to meeting them again; being well assured, that whatever the nature of our intercourse may be—as national foes or as national allies, or merely as private friends—I shall have thorough-bred officers and gentlemen to co-operate or contend with.

On the 17th of October, I drove with a most obliging and intelligent friend to the village of Brighton, within a mile or two of Boston, where the great annual cattle show of the State of Massachusetts is held. This Fair, as it may be called, was established some years ago by the people of Boston, while the farmers of the State, from far and near, sent their cattle, fruit, home manufactures, newly invented agricultural implements, and any thing else they wished to show off, to this grand exhibition. In process of a very short time, however, the country folks became jealous of Brighton; and each county or town got up its own

little independent cattle show,—like colonies deserting the parent firm, and setting up shop for themselves! But there was still enough left of the original Show to interest a stranger. Besides a ploughing match with 20 teams of oxen, there were various trials of strength, by cattle drawing loaded carts up a steep hill. The numerous pens where the bullocks and sheep were enclosed, afforded also a high treat, from the variety of the breeds, and the high condition, of the animals exposed. And lastly, we were shown the rooms in which the specimens of domestic manufactures were displayed: most of these goods, which appeared excellent in quality, gave indication of native industry, well worthy of encouragement.

In spite of all these objects of interest, I felt ill at ease, and though the expression be a strong one, it is not too strong, when I say that I was struck to the heart, with what seemed to me the cruel spectacle of such a numerous assemblage of people, on such a fine sunny day, in as pretty a little valley as ever was seen, close to a romantic village, and within four miles of a great and populous city like Boston, and yet amidst all this crowd there were no women! Literally and truly, amongst several thousand persons, I counted, during the whole day, only nine females! I wandered round and round the grassy knolls, in search of some

signs of life and merriment,—some of those joyous bursts of mirth which I had been wont to hear in other lands on similar occasions. But my eye could discover nothing to rest upon but groups of idle men, smoking segars, and gaping about, with their hands in their pockets, or looking listlessly at the penned up cattle, or following one another in quiet, orderly crowds, up the hill, after the loaded carts I spoke of, glad, apparently, of the smallest excitement to carry them out of themselves. But not a woman was to be seen. Neither were there any groups of lads and lasses romping on the grass;—no parties of noisy youths playing at football for the amusement of the village maidens;—no scampering and screaming of the children amongst the trees; for, alas! the little things appeared nearly as solemn and soberly disposed as their elders.

But in all the numerous booths placed over the ground, parties were hard at work with the whisky or gin bottle. In some, companies of ten or a dozen people might be seen working away at hot joints and meat pies—all very ordinary sights, I grant, at a fair in any country; but the peculiarity which struck me was the absence of talking, or laughing, or any hilarity of look or gesture. I never beheld any thing in my whole life, though I have been at many funerals, nearly so

ponderous or so melancholy as this gloomy, lumbering, weary sort of merry-making. I felt my spirits crushed down, and as it were humiliated, when, suddenly, the sound of a fiddle struck my ear, literally the very first notes of music I had heard, out of a drawing-room, in the whole country. Of course I ran instantly to the spot, and what was there?—four men dancing a reel!

I spoke to several gentlemen on the field about this strange, and to European eyes, most unwonted separation of the sexes. But I got little else than ridicule for my pains. Some of my friends smiled, some laughed, and one gentleman in reply to my expressions of surprise that females should be excluded from a scene every way innocent and suitable to them, exclaimed, "Ah, sir, this question of yours only adds another example of the impossibility of making any stranger understand our manners."

This may or may not be true; but a stranger has eyes and can see; and long before this holiday, I had been struck in every part of the country through which I had passed, with this strong line of demarcation between the sexes. At Stockbridge, it is true, a considerable number of women were present at the oration; but they were carefully placed on one side of the church, and during the whole day there was no more intercourse be-

tween them and the men, than if they had belonged to different races. At this cattle show at Brighton, however, the exclusion was still more complete, for not even one female entered the church, though an agricultural discourse was there delivered, which the most delicate-minded person on earth might have listened to with pleasure and advantage.

These, and a great number of other circumstances—some minute, some important, but all tending the same way, and varied in every possible shape, and conspicuous in all parts of the country—naturally claimed my attention irresistibly as something very unusual, and well deserving of a stranger's notice. I lost no fair opportunity, therefore, of conversing with intelligent persons on the subject, being naturally anxious to reach some explanation of so remarkable a distinction between America and any other Christian country I was acquainted with. The result of all my observations and enquiries is, that the women do not enjoy that station in society which has been allotted to them elsewhere; and consequently much of that important and habitual influence which, from the peculiarity of their nature, they alone can exercise over society in more fortunately arranged communities, seems to be lost.

In touching upon so delicate a subject, it is right

to state at once, and in the most explicit terms, that I never had, for one instant, the least reason to suppose that there was any wish on the part of the men to depress the other sex, or indeed any distinct knowledge of the fact. On the contrary, I conscientiously believe that there exists universally among the men a sincere and strong desire, not only to raise women up, but to maintain them on the fairest level with themselves. But I conceive that the political and moral circumstances now in full action in America, are too strong to be counterbalanced even by these laudable endeavours.

In that country, it must be observed, every man, without exception, has not only a direct share in the administration of public affairs, but he is put in mind almost every hour of his life of the necessity of exercising this privilege. He is called upon at one time to choose representatives to Congress, or for his own State, or to nominate the electors for the office of President, or to elect a governor, or an alderman; or he may himself be called to fill any one of these stations. In every part of the country, at all times and seasons, therefore, the men are more or less actively engaged with some election; and this propensity to canvass and be canvassed, or to attend, in some shape or other, to the complicated machinery of representation, is

generally admitted by the Americans themselves to form one of their most important occupations. I have been often told, and can well believe, that the closest attention, and a great deal of personal devotion of time, is required in order to understand the operation of this extensive system well enough to be able, effectually, to influence the returns. This arises, in a great measure, from the immense number of persons interested, or who, whether interested or not, have a right to interfere. Consequently, any partial or qualified degree of vigilance is quite useless, and electioneering, in order to be successful, must be made a business of.

When to these engrossing and highly exciting objects of attention, we superadd the endless litigation into which all mankind are led in that country, by what is called Cheap Justice—in other words, the facility of going to law; together with the care with which, as a matter of necessity, the head of a family must attend to its pecuniary interests, we can easily conceive that a very small portion only of his time can be devoted to the domestic fireside, however sociably disposed he may be by nature.

Now, it is scarcely possible that the women, who of course do not personally interfere in any of these matters, can be made to understand sufficiently what is going on out of doors, to take a continued

interest in these things, much less to use any decided, or steady feminine influence upon them.

I have repeatedly heard gentlemen, who had given most of their time to public matters, declare that they could not comprehend the complicated politics even of their own particular State. This arose, they told me, from these matters being so entirely made up of intrigues and counter intrigues, each of which involved an endless round of elections, the bearings of which upon the main point—generally the Presidential question—none but the most initiated even amongst the men could ever pretend to understand fully. Whatever be the causes, however, the fact I think is indubitable, that they are almost exclusively engrossed abroad by occupations which the women cannot possibly comprehend; while the women, for their part, are quite as exclusively engaged at home, with business equally essential and engrossing, but with which the men do not meddle in any way.

There is also another cause, which, although it may appear trivial to people who have not been exposed to its influence, has, I have no doubt, a considerable share in bringing about the state of things to which I now advert. I mean the increased household duties inevitably imposed upon the mistress of a family by the total want of good servants in America. This is an evil which no

fortune can remedy. Good nurses, men servants, cooks, or any description of female attendants, are rarely to be found; and, if found, no money will bribe them to stay long in a house, or to behave respectfully when there. Thus the whole system of domestic service is deplorable, and the cause of more misery than I can describe, without going into particulars which I am very unwilling to dwell upon.

All these things, and various others, some great, some small, have a tendency to give to the men and the women of America such different classes of occupations, that they seldom act together; and this naturally prevents the growth of that intimate companionship, which nothing can establish but the habitual interchange of opinions and sentiments upon topics of common employment.

In England, a state of circumstances entirely dissimilar, has produced, as might be supposed, very different effects; and I allude to these, not, I beg to assure my American friends, for the sake of offensive comparisons, but simply for the purpose of describing more clearly what I conceive to be one of the most striking, and, I believe, inevitable peculiarities of American society, as contradistinguished from that of Europe.

All over America, I admit fully, and with the greatest pleasure, the women are treated with much

kindness by the men. I never saw or heard of any rudeness, or had any reason to suspect that incivility towards females was ever practised, or would be tolerated, even in those parts of the country which have enjoyed the least advantages in the way of civilisation and refinement. But this kindness and attention are quite compatible with the absence of that habitual and mutual understanding which I conceive exists almost universally in England, but which it would be impossible to establish in America, so long as the political condition of society preserves its present form.

In England no fair, no place of public amusement, no election, no court of justice, no place, in short, public or private, is ever thought complete without a certain, and most influential proportion of female interest being mixed with its duties or its pleasures. No farmer, any more than a nobleman, is satisfied to enjoy what is to be seen, without the participation of his family. No pleasure is ever thought worth enjoying except in female company. Such is the universal fashion, or long-established custom, call it what you will, which has transmitted to modern manners much of the grace and dignity of chivalry, without its extravagance.

But I dwell far less upon what strikes the eye, than upon those deeper and more important influ-

ences which spring from this intimacy of habits, and of which these outward signs are merely the types and shadows.

The virtual control which women in England exercise over the conduct of the men, extends to every thing public as well as domestic; and without, at present, stopping to enquire how it has been brought about, I believe it will generally be admitted, that no man can hope, by dint of talents, or power, however high, to escape from that uncompromising scrutiny, which lets nothing pass unobserved, and forgives nothing which is found to be wrong. The judgment of the women, as a body, is rarely if ever wrong—their feelings and their principles, never,—which certainly cannot be said for those of the men. The effect, in practice, is this: Every person, whatever be his profession, his fortune, or his rank, is made sensible, sooner or later in the course of his progress through life, that he has no chance of earning the good-will of the society in which he moves, if he fail to carry with him the sympathy of the female portion of the class to which he belongs. It is of no consequence how splendid his abilities may be, or how extensive his knowledge, or recommendations in other respects; so long as he is ill received by the other sex, he is made to feel that he has gained nothing. Now, as this is universally the case, pervading in a greater

or less degree every class of society, as a fixed, inherent principle in its structure; and as the women are thus, by tacit consent, vested in a great measure with the real power of rewarding or of punishing desert, and with the actual distribution of public opinion; it becomes the obvious interest of every virtuous man to render those persons who are to be the judges of his claims, as competent as possible to do him justice.

In this view, it is an object, not of mere theory and speculative benefit to society, but of practical importance to every one, and, above all, to the highly gifted and ambitious, to elevate the understanding, and improve every discriminating faculty of the mind and heart, of the opposite sex. I do not, of course, say that these feelings are present to all people's thoughts, or that men set systematically about raising the standard of female excellence with any such express view; but I have no doubt that these principles and motives do really form the mainsprings of this undoubted and universal action. That the husbands, brothers, and fathers of the English community do, in fact, exert themselves seriously to bring about the end alluded to, is most certain; the whole texture of society shows the extent of female influence, and we all know that the result is eminently powerful in its reaction upon the men, in every walk of life.

But such important influences as these can exist only where all things have had time to settle into their proper places, and where a thousand minor causes, many of them unseen and unsuspected, conspire to lend their assistance to the establishment of such general and permanent checks to vice on the one hand, and of bounties to virtue on the other; to say nothing of the boundless range of innocent enjoyments, and elevated views, as well as feelings, which can take their rise only in a system of manners thus chastened and regulated.

I shall only add, that I met with several instructive corroborations of these views, in the correspondent sentiments excited in the minds of some American travellers, who described to me their surprise on going to England, where nothing struck them so much, they assured me, as the different degree of power which the English ladies appeared to hold over society, compared to that exercised by those of their own country.

I have been told a hundred times that comparisons ought not to be made between so old a country as England, and so new a country as America; but I confess I never yet heard a single good reason why such comparisons should not be drawn, if the purposes of illustration were served thereby. If any thing offensive is aimed at by the comparison, or if the object be to raise one country, invi-

diously, at the expense of the other, it is a very different affair, and then, certainly, comparisons are odious. But I cannot understand why any one, writing for the information of his own countrymen, should not make use of those resemblances or contrasts which strike his eye as existing between circumstances with which his readers are familiar, and those with which they are not acquainted, and are never likely to see. His object should be—at least my object has been—to describe, not how things might, could, or should be, but truly how they are; or, to speak in language still more critically correct, what they seem to my eyes.

Now, if it shall appear that the most faithful way of doing this consists in drawing comparisons, why on earth should I not draw them? What is it that every other mortal is doing every hour of his life, when he wishes to illustrate his meaning to those he is conversing with, by reference to circumstances familiar to his auditors? And why should a traveller in an unknown country like America, be debarred of this common privilege? Because, forsooth! that country is young, and we are old! Why, this, independently of all purposes of mere description, seems one of the strongest reasons possible for instituting these comparisons, if we wish

to see whether any, and what advances have been made.

But there seems a fair enough argument, if so it can be called, in answer to objections on the score of national parallels—furnished, too, by the very parties making the difficulty—I mean the Americans themselves, who, if we are to judge from their own writings and conversation, are almost as fond of inviting such comparisons as if they had really nothing substantial to boast of, yet hoped to make us think better of them, by thinking worse of ourselves; and fancied that every thing subtracted from Europe, must, as a matter of course, be added to America.

CHAPTER IX.

At nine o'clock, on Saturday the 20th of October, 1827, one of our most active friends called to take us round some of the schools of Boston. We could not visit them all, for a reason which will be obvious enough when I state, from an official document in my possession—the School Report of 1826—that the number of these institutions in this single town of Boston is no less than two hundred and fifteen, though the population is somewhat under fifty thousand! We thought we did pretty well in visiting three out of this grand army. Two of these were for the instruction of boys, and one for girls, or Misses, as they are called, in contradistinction to females, which, I observe, is the term applied in the Reports to the girls in the poorer and less aristocratic institutions. With all the outcry against ranks and classifications, no opportunity, I observed, was ever omitted of drawing lines of distinction, wherever they could be safely traced.

In many of the States of America much attention is paid to elementary education, and in Massachusetts, in particular, a great number of public schools are maintained by a tax, which I believe amounts to about three dollars and a half upon every thousand of income. Thus, while every person has a right to send his children to these establishments, the poor get this description of education almost gratis. The rich, it is true, may also do the same, without further payment. But, as might naturally be supposed, most people who can afford it prefer sending their children to schools which they select for themselves, where they pay more or less according to the nature of the tuition.

The Bostonians are very proud, and perhaps justly so, of this system of public instruction. When I ventured, however, to insinuate something of its having a charity look about it, I was answered, that education, being considered in America essential to the maintenance of the republican form of government, it deserved to be made a matter of national establishment, like that of the Courts of law or the Police, the benefits of which are common to all. The institutions alluded to, and many others, are supported essentially by the rich; "and therefore," say the advocates of this system, "there is no more degradation in a poor man ha-

ving his children educated at the expense of the public, than there is in his deriving the advantage resulting from the administration of public justice, or the protection of his person and property, on the same terms precisely." I confess this looks specious, and though not quite satisfied, I had no very good answer to make. The obligation incurred by the parents who have their children thus educated almost gratuitously, brings the matter, I think, too near home—in too tangible and eleemosynary a shape—giving them, at the expense of the rich, advantages which, in order to be useful, ought to be earned. I may be wrong—and probably am so —for the gentlemen I conversed with, while they admit the soundness of this doctrine in theory, assured me that the poorer people who benefit by the tax, do not feel any degradation in profiting thereby. This, by the way, does not perhaps mend the matter much; for it is not always those who are least indebted to their own exertions, who feel the most scruple in being aided by others. And I may further observe, that this remark applies with particular force to a community, where the laws regulating the distribution of property are not framed by those who have the greatest pecuniary interest at stake.

At the high-school for girls, we found the young ladies working away at Algebra in a surprising

style of rapidity. The only question is, whether or not this be the fittest study for misses? They next exhibited in Geography, in which also they seemed to be very proficient. The severest task, however, was in English reading, and our ears detected some instances of what we should call mispronunciation. The schoolmaster, who, I suspect, took me for a brother of the cloth, asked me to give my opinion as to the young ladies' reading. I tried to do so as cautiously as might be; but I found it hardly possible to make a critical remark without risk of giving offence, for he instantly took fire whenever any thing was objected to. I had, indeed, been well prepared for this, by observing that every where in the country, however earnestly such criticisms were solicited, nothing but unqualified approbation would ever satisfy them.

At the high-school for boys, two youths were called out in succession to spout in our presence. Poor little fellows! they took us for their own country people, and as the most grateful theme they could choose, indulged us with a couple of furious Philippics against England. We were amused to the top of our bent, and the young orators, seeing us take more than common interest in their declamations, elevated their incipient legislative voices, and rose into high energy when any thing particularly patriotic, that is to say, cutting

against the mother country, was let fall. "Gratitude! gratitude to England! What does America owe to her? Such gratitude as the young lion owes to its dam, which brings it forth on the desert wilds, and leaves it to perish there. No! we owe her nothing! For eighteen hundred years the world had slumbered in ignorance of liberty, and of the true rights of freemen. At length America arose in all her glory, to give the world the long-desired lesson!" &c. &c. &c.

Both our companions were somewhat disconcerted by this contretemps of the lads; but I could not bring myself to pity them much. What business, I may ask, have persons who affect to wish that the two countries should be on good terms, to adopt in their seminaries such models upon which the taste of the rising generation is to be formed, when all the world of letters is before them? Or what title have these most thin-skinned of all people to abuse the English, without intermission, measure, or mercy, for an occasional squib against them, when they themselves systematically teach their own young ideas to shoot at this rate?

These, however, are things to laugh at—and I turn to a more important branch of the subject:—I mean the general question of education in America. Upon this I think, that in England, as well

as in America, some considerable mistakes prevail, which it is of consequence to the cause of truth to rectify. The Americans write and talk so much of the immense extent to which they carry the education of their people, that one is apt at first sight to suppose that a greater step is made in the celebrated March of Intellect than the result will by any means be found to justify. There certainly is in that country a very general wish to teach the elements of knowledge to the rising generation of all classes, so that hardly any one is growing up now-a-days without a competent proficiency in reading and writing. This I grant in the fullest extent for which the admission is claimed by the Americans themselves. But still, I take the liberty of saying, this is very far from filling up the idea which we attach to the word education in England. Those persons amongst us are very much mistaken who are led to suppose, that because there are a prodigious number of schools, colleges, and universities, in America, and large sums are expended by the different State Governments for education, there must necessarily be diffused a considerable amount of that description of knowledge usually taught in European seminaries of the same nominal pretensions. I allude now more particularly to classical studies, which are, in fact, so much neglected from end to end of America,

that they may be said to have little or no existence, except in the prospectuses, or printed courses of study, nominally required at the above mentioned institutions.

There is no want of talent in the country, nor of ability and honest zeal on the part of the professors and other teachers; but my enquiries in every part of the Union ended invariably in one and the same conclusion—that it was impossible, by means of any system of discipline, by fines, by punishments, by the stimulus of artificial rewards, by parental or state authority, to keep the young men long enough at those establishments, to imbue them with what in Europe would be called a tolerable portion of classical knowledge; or even to impart to them much taste for elegant letters, ancient or modern; still less, of course, to carry them into the regions of any abstract science.

The reason of all this lies so completely interwoven with the whole texture of American society, that, were the efforts of those public-spirited persons, who struggle so manfully against this popular torrent, a thousandfold more strong than they are, their exertions would avail little.

Every thing in America, as I believe I have before mentioned, appears to be antedated—every thing, and every body is on the move—and the field is so wide and so fertile, that no man, whatever be

his age, if he possess the slightest spark of energy, can fail to reap from the virgin soil an adequate harvest. By the word adequate, I mean a sufficient return for his own maintenance and that of a family. Thus the great law of our nature, Be fruitful and multiply, having no check, supersedes every other, carrying before it classics, science, the fine arts, letters, taste, and refinements of every description, in one great deluge of population.

This is hardly any figure, being almost literally the fact. As applied to education, its effects are somewhat of the following nature. A boy who hears and sees nothing all round him but independence, and individual license to do almost any thing, very soon becomes too wild for his father's house; and off he is sent to school. When there, he is restless himself, and the cause of restlessness in others; for he worries his parents till he accomplishes his purpose of going to college. This point gained, his object is to run through the required course as fast as possible, get his examination over, and take his degree, that he may be at liberty to follow the paths of his predecessors, and scamper away to the fertile regions of the West or South, where, whatever betides him, in whatever line of industry his taste or talents may be cast, he is sure of being able to support a wife and children.

This appears to be going on, with slight shades

of difference, over the whole United States, and is, in truth, the inevitable consequence of their geographical and political situation. The Americans assure us that it cannot possibly be altered. Perhaps not. At all events, it must be submitted to, but whether for good or for evil, is not now the question. The real point is, whether or not any modified restraint can be placed upon the operation of such powerful principles of human action in the case of the young men of that country, so as to give them, along with their present advantages, those also which spring out of classical knowledge?—I fear not.

What answer, for instance, can be made to a lad of sixteen, who sees before him so wide and tempting an area for his immediate exertions to expand themselves in? Who is certain that if he marries to-morrow, with scarcely a dollar in his pocket, he may rear up half-a-dozen children in as many years, and maintain them in abundance, till they are in a state to shift for themselves? Or who begs you to tell him in what respect Greek and Latin, or the differential calculus, will advance his project of demolishing the wilderness, and peopling the ground where it stood? Or how a knowledge of the Fine Arts will improve the discipline of a gang of negroes on a rice or cotton plantation? You can really say nothing in reply. For

what instruction you give him in reading and writing he is most grateful; but for all the graces of literature, or the refinements of science, or the elegancies of polished societies, he cares not half a straw. In fact, they are so much in his way, that if he chance to have picked any of them up, he feels tempted afterwards to fling them from him as troublesome encumbrances, only tending to excite distrust in those unqualified to appreciate such attainments.

I do not say that it is exactly the same in every walk of life; for the church, and medicine, are professions which do certainly require considerable study—I mean some further degree of application than many other profitable pursuits which stand wide open to the youth of America. Even, however, in these walks—I speak now from the authority of the Americans themselves—there is the greatest possible difficulty in fixing young men long enough at college. Innumerable devices have been contrived, with considerable ingenuity, to remedy this evil, and the best possible intentions, by the Professors and other public spirited persons, who are sincerely grieved to see so many incompetent, half-qualified men, in almost every corner of the country. The examinations have been made more strict—the courses of study longer

—the qualifications higher, and so on—but all in vain! Nothing can bind them!

When, however, it is recollected, that in America the voice of the multitude regulates every thing, and is in fact omnipotent, it is not to be expected that there ever will be found, under such a state of things, any set of Examinators or Professors, or other body of men, whose office it is to judge of such qualifications, or to distribute the requisite sanctions for actual business, who shall not be, virtually, under the influence of this irresistible popular voice. If then that voice shall require, as it does now require—I do not ask whether wisely or not—that the students shall be let out into the world to seek their fortunes, no conceivable force can keep them within the college walls. They will go off to real business in spite of the best framed laws to the contrary, or the sincerest desire of the cooler headed part of the community, who exert themselves, I must say very gallantly, to prevent the multifarious evils brought upon the country by this inevitable dissemination of so much crude knowledge, the deleterious effects of which are not greatly remedied by their being honestly exerted.

This is not mere speculation, but what I myself saw, and what every one who has gone over America must have seen, in full action in all parts of the country. It accords exactly with what I was

told, not only by those who were labouring hard to check its influence, who sincerely loved the cause of letters and science, and bitterly deplored their downfal, but also by some of the young men themselves, the actors in this singular experiment on civil society. Even these gentlemen were often conscious of its mischief, they told me; but added, reasonably enough, that no one could be expected to keep back while the rest of the world was progressing. Thus many people are forced into active life, long before the time they would probably have chosen to come forward, had the state of things been different—that is to say, had there been any steady demand in society for higher acquirements. In one word, there is abundant capacity, and abundant desire to learn in America, but by no means any adequate reward for learning. There are exceptions, no doubt; and instances might be quoted of men of literature and science whose exertions are well repaid, but the comparative numbers are exceedingly small when the extent of the population is taken into account.

It is by no means the fashion, however, I may observe, to hold this language, generally, in America, even under the rose; and in public not at all. On the contrary, almost every public speaker and writer cries up this very state of things as the perfection of human society. Nevertheless,

I will not do my acute transatlantic friends the injustice to take them literally at their word; for I seldom fell in with a man, to whom I had an opportunity of talking deliberately on the subject, who, if he were clear-headed in other respects, and the question was put to him in direct terms, did not appear to admit, that the country was by no means the better of all this haste and consequent want of solid knowledge. It is most true, however, that I did meet many more persons, who, even in a quiet way, did not go along with me; who resolutely denied the evil, distrusted the accuracy of my picture, and ascribed the whole to that sort of delusion which, they tell us, comes over the understanding of all foreigners the instant they touch the American shore, and prevents them from seeing the character of the people, or discovering the operation of causes which, but for this alleged mysterious difficulty, would lie within the reach of any common apprehension.

I often wished that these persons would only take a small part of the trouble I was bestowing on the subject; but they were generally quite satisfied that they knew every thing about it, though they had never moved out of their own State. In this matter, however, they reasoned, not unnaturally, that if, as they supposed, they were well acquainted with every thing in Eng-

land, a fortiori, they must know all about their own country.

I should be doing much injustice, however, to many sensible persons in that country, with whom I made the most agreeable and instructive acquaintance, were I not to except them from such sweeping remarks. I met some gentlemen who not only looked these domestic evils fairly in the face, but were unaffectedly desirous of hearing how such matters really stood with us, and often begged me to explain anomalies which had long puzzled them.

"Pray tell me," said a friend one day, "how it is that you contrive, in England, to keep your young men of family and fortune so long at the public schools, and afterwards at the universities; though many of them, from all I can hear, have the means of marrying and settling in life; while we, in this country, find it next to impossible to keep back even the poorest lads? They insist upon being allowed to go off, at an early age, to the unexplored back woods, to the great cities, or to try their fortune on the ocean. How do you manage to oppose, with success, the barren classics to the natural desire of settling independently in the world?"

"That is very easily explained," I said. "In the first place, we do not maintain the doctrine of entire

independence, according to the American acceptation of the word, to be a good one. Moreover, with us, all men are divided into ranks or classes, which, although they blend insensibly, and intermix with one another where they meet, are yet very obviously distinguished, while the acknowledged rights and privileges of each are scrupulously preserved. Every one finds out, also, in the long run, that his best chance of success and of happiness, consists in conforming as nearly as possible to the established habits of that branch of society in which he happens to be born, or which he may reach by dint of extraordinary industry or good fortune. I may even add, that without doing so, no man is considered respectable. Every class has its own peculiar marks by which it is distinguished from all the rest; and without these distinguishing characters, no man can possibly succeed permanently in society, whatever be his merits in other respects. In the learned professions, in the Church, in the Law, in the House of Commons, in the Diplomatic line, and some others,—always excepting, as you know very well, naval captains and country squires—it so happens that a certain amount of classical knowledge has been settled from time immemorial as the indispensable mark of a gentleman. And as that amount of learning is not to be acquired without a long course of hard study, there is no

escaping from the preliminary ordeal which experience has shown that this requires. So that even if the exact degree of knowledge I speak of be not ultimately attained in all cases, still the whole protracted ceremony of education must be gone through; otherwise there is no hope of success afterwards.

"Besides which," I continued, "every profession—indeed, every description of employment—in England, is so much overstocked, that men are compelled to wait much longer before they go into life than is necessary with you, where the ground is comparatively little occupied. We are glad, therefore, to find employment for that interval of inaction which must necessarily elapse between boyhood and manhood, and before the season of real business commences, in giving young men that kind of knowledge which we know by experience, does essentially contribute to their happiness, by purifying their taste, filling their minds early with images of the highest excellence, and sharpening all those faculties with which their future fortunes are to be carved out. Thus, before men come into contact with the actual world,—the bustling, money-making, intriguing world,—their thoughts and their feelings are well disciplined, and their manners tempered by habits of patience, so as to suit

any particular description of duties which in due time they will be called upon to perform."

"Yes, sir," said he; "all that is very true, as applied to an old and crowded, artificial state of society, such as England; but wherein do you conceive would consist the advantage of giving our young men in America the same amount of classical knowledge, supposing that possible, when their present and future lives are so widely different from yours?"

"Indeed," was my reply, "I really do not see the practical utility of such delays and refinements, if men are to follow the same occupations they now pursue in America."

"Well, then," continued my friend, half reproachfully, "don't you think you should be cautious in finding fault with our small acquaintance with the classics, and with many other things which differ from what you have been accustomed to, but which may, nevertheless, be very suitable to us, or, if not so, at all events irremediable in this country?"

"I have not the smallest wish," I answered, "to find any fault, if you would only let things go on, and take their chance for what they are truly worth; but what calls forward such remarks as you allude to, is hearing many persons in your country claiming the highest degree of merit in

these very respects, though entirely inapplicable to the state of your country, as well as in those which properly belong to you; thus running away with the advantages of both conditions,—the old and the new. You are not content with possessing the vigorous pleasures of youth, and the broad field you have got to play about in, but you claim likewise the wisdom of age, and the refinements of a crowded society."

"In what respect do we lay in this double claim?" he asked.

"Why, I hear every where in America, and read every where, declarations of your high-mindedness and intelligence—not an hour passes that I don't hear of your improvements upon us—and of the immense distance you have shot a-head of Europe, in knowledge, power, wealth, and so forth: but when I come to closer quarters with the claimants of these advantages, said to have been gained over the Old World, and show my reasons for declining to concede all they ask for, they turn about upon me and say; 'Why, sir, you make no allowances for our situation—we are a young country—we want only time—we are really getting on very fast—do not you think so?' Thus, without any actual shift of wind, they put about on the other tack, and as soon as their sails are trimmed afresh, seek to gain those favourable concessions, on the

score of wonderment, which the real nature of things denies, and for which self-praise, let me tell you, is but a hollow substitute."

"Ah, sir," sighed my worthy friend, "I see that no foreigner can ever be made to understand our character."

CHAPTER X.

We left Boston on the 23d of October, 1827, after a stay of nearly three weeks, greatly pleased with the place and with the people; and much gratified as well as flattered by the reception we had every where met with.

The fashion of living at boarding-houses prevails there, as it does every where else in the United States; and we were fortunate in meeting a very pleasant party of fellow-lodgers at the house where we remained during our stay. The cold and formal habits of which we had complained in most other places, were exchanged in this agreeable city for a greater degree of frankness than we had seen before. The gentlemen at the boarding-house, indeed, won our particular regard by the friendly attentions they paid to our little companion, who was often left at home, while we were enjoying the hospitality of our other acquaintances.

I happened to look into the dining-room one day,

upon hearing the child screaming with delight, when I found these good-natured people had allowed the young traveller to mount the table, and to run backwards and forwards from one end to the other. Each of the party had a segar in his mouth, from which he gave her little ladyship a broadside of smoke, as she passed along the line, according to the best principles of naval tactics.

I had, however, many sharp, amicable discussions with my friends at Boston, on the thousand and one topics which arose between us; but I must do them the justice to say, that I have rarely met a more good-natured, or perhaps I should say, a more good-tempered people; for during the whole course of my journey—though I never disguised my sentiments, even when opposed to the avowed favourite opinions of the company—I never yet saw an American out of temper. I fear I cannot say half so much for myself; for I was often a good deal harassed by these national discussions, when the company and I took our station on the opposite Poles of the question. But it is pleasant to have it in my power to say, that I cannot recall a single instance in which any thing captious, or personally uncivil, was ever said to me, though I repeated, openly, and in all companies, every thing I have written in these volumes, and a great deal

more than, upon cool reflection, I choose to say again.

In the course of the day, we reached Providence, the capital of the State of Rhode Island; having averaged somewhat less than seven miles an hour, which I record from being considerably the quickest rate of travelling we met with any where in America.

From Providence, we wished to proceed to Hartford in Connecticut, a distance of seventy-two miles, by an extra stage, and at our own time; for we found it very unpleasant not to have the power of stopping when any thing interested us. The stage proprietor, however, would not let us have an extra, unless we paid for the whole nine places. Even this I did not object to, though we had generally secured the whole carriage for the hire of six seats. But when we came to understand one another, it proved that, even if I did hire the whole vehicle, still the time was not to be our own; for if the conveyance went with us at all, it must start at a certain hour, and run straight through in one day, without stopping any where. As this was defeating the object in view, and the proprietor was inexorable, we amused ourselves in walking up and down this busy town, looking in at every place where we thought carriages or horses might be hired. But there was not a man in the place

who would take us on any terms; and at last we were compelled to engage our places in next morning's mail stage.

The nominal hour of starting, was five in the morning; but as every thing in America comes sooner than one expects, a great tall man walked into the room at ten minutes before four o'clock, to say it wanted half an hour of five; and presently we heard the rumbling of the stage coming to the door, upwards of thirty minutes before the time specified.

Fortunately, there were only five passengers, so that we had plenty of room; and as the morning was fine, we might have enjoyed the journey much, had we not been compelled to start so miserably early. At the village of Windham, we dined in a cheerful sunny parlour, on a neatly dressed repast, excellent in every way, and with very pleasant, chatty company. The whole dinner party were absorbed in vehement discussions respecting the endless Presidential question, which in country as well as in town, appeared to occupy all men's minds, morning, noon, and night. I joined as well as I could in these conversations, though sorely perplexed in trying to follow the rambling nature of these New Englanders' talk; for they wandered from the topic to the right and to the left in such a way, that I often quite lost sight of the original point. They

were extremely bitter against General Jackson, one of the candidates; but what I then thought odd enough, they were not much more favourably disposed, individually, to Mr Adams, his opponent.

We made out our seventy-two miles in fourteen hours and a half, or nearly five miles an hour, over a rugged, hilly, disagreeable road as ever was seen. When going up the steep parts, the pace was very slow; but to compensate for this, we generally galloped down; and frequently, also, when the ascent was short, made a noisy canter of it, right up. At every four or five miles, we stopped to water the horses, and to give out and take in the mail-bags, which were never ready at the post-office. Then we had the most troublesome of all jobs to go through, that of changing coaches, no less than four times; all these things, together with frequent stops to have a gossip and a glass of brandy, made the day seem endless.

In the course of the 25th of October, spent at and near Hartford in Connecticut, we visited three very important public establishments, all of first-rate excellence in their respective lines. The State Prison, the Asylum for the Deaf and Dumb, and the Institution for the Insane. The prison, or penitentiary, is upon the Auburn plan already described, where the separation of the convicts at night is complete—hard labour and silence are rigorously

enforced throughout the day—solitary meals in the cells—and where all social intercourse amongst the prisoners is effectually interdicted; no intercourse, indeed, of any kind being allowed, excepting only that salutary communication which every one of them who desires it is at liberty to hold with the resident clergyman, on Sundays. This excellent establishment had been only three months in operation when we saw it; but such appears to be the simplicity of all parts of the system, that every thing had fallen into its place with the precision of habitual order, just as happens with the machinery of military or naval discipline.

The Asylum for the Deaf and Dumb at Hartford has the merit of being the earliest institution of the kind established in America. It is under admirable management; but there is nothing respecting it so peculiar as to call for particular notice.

In one of the rooms we saw a very interesting person, a young woman born deaf, blind, and dumb. It appeared that some of the other girls had been trying to bring her to the room in which we were standing, which attempts had discomposed her wonted serenity a little, for the expression of her countenance was at first by no means agreeable. But in a few minutes Mr Gallaudet, the benevolent and able manager of the establishment, by patting her gently on the cheek, pressing her

hands between his, and using other little blandishments which he knew were pleasing to her, gradually brought a smile to her lips, and then, certainly, the expression of her countenance was most engaging. She took our hands, felt our clothes minutely, took my watch in her hand, examined the chain and seals, and seemed desirous of showing that she knew how to wind it up. Her numerous mute companions who stood round us, appeared much interested in her. A needle and thread was brought, which she threaded by the assistance of her tongue, after four or five ineffectual attempts.

While looking at a creature differing from ourselves in so many respects, we are tempted to ask, what can a mind so circumstanced be thinking of? What images—what combinations of ideas can it be contemplating? It is like conjecturing what the inhabitant of another planet is about! Indeed, I felt several times as if I were in the presence of a being of a different order, and was conscious of a feeling somewhat akin to awe. It may be something of this kind, perhaps, which makes people in a rude state of society hold idiots in reverence. May it not be that they seem to belong to another race; and, if to another, why not to a higher? It is true, there was no idiocy in this case; on the contrary, evidently the workings of regulated in-

tellect; but how regulated? or how employed? were questions utterly beyond the reach of human research.

Every one is now familiar with the peculiar style of writing of these cheerful-looking and happy people, the deaf and dumb; but I think the following description of Niagara may amuse, as well as instruct, for it is quite as intelligible as any other with which I am acquainted.

"Of the Cataract. By a young man eighteen years of age, born deaf and dumb:—

"The amazing Fall that is naturally made by the Almighty, is caused by the source of the river St Lawrence, in which its passage runs from Lake Erie into Lake Ontario. The cataract is called the Falls of Niagara. It is uncertainly said, that it is the largest and noblest in the world. It is about one hundred and fifty feet perpendicular, and it runs like a horse shoe. It can pour its waters into the Atlantic Ocean. When any of the persons visit the Falls, I think he is amazing at seeing it, that makes him attack it, and when he is imprudent, to go and fall violently into it. It is useless for the Falls to run continually, yet it makes those who are delighted to see its curiosity. It is said, that one of the Indians slept in a canoe which was bound to the root of a tree with a rope. When a white man saw him asleep, he rejoiced

that he broke the rope out of the root; and when the canoe was afloat, the Indian opened his eyes, and immediately took his oar and rowed; but he left it; so he was fond of drinking some spirituous liquors, and when the Falls swallowed up the canoe, which fell down, his limbs were all broken, and perished."

Our last visit was to the Connecticut Retreat for the Insane. The title given to it will recall the celebrated establishment for the same benevolent purpose at York. At Hartford, however, the moral treatment, and the system of gentleness, are carried even still farther, as I understand, than in England.

Many persons approach this subject with disgust—some with apprehension—and all, or nearly all, when they first come into actual contact with it, with feelings of great uneasiness. A little resolute practice, however, soon banishes these unworthy considerations, or it reduces them within all the control that is necessary for any useful investigation of the subject. At least so I found it in America, for though I could never bring myself to examine such places at home, the difficulty vanished when the trial was actually made as a matter of duty. But I speak upon this, and upon many other points in these American enquiries, with much and sincere distrust of my own conclusions. The

mere wish to see and to represent faithfully is not enough. It is not very easy, in the first place, to get at every thing we ought to examine in such places, in order to form a right judgment upon the question in hand. We have often not time, and still more frequently have not sufficient preparatory knowledge, to make the proper enquiries. And even when in presence of the things we have been seeking for, how difficult is it to look at them aright! It will not unfrequently happen, too, that a casual misconception of a fact, sends us away with more error than knowledge; and I have sometimes seen people of good sense visit the same institution on the same day, and even in the same company, and yet leave it impressed with very opposite opinions.

Dr Todd, the eminent and kind physician in charge of the Retreat, gladly communicated his plans, and showed us over every part of this noble establishment,—a model, I venture to say, from which any country might take instruction. The institutions at Hartford, which, indeed, are not to be excelled any where, not only do high honour to this part of the Union, but are every way creditable to the nation generally.

Dr Todd's method is to treat every insane patient as if he were a reasonable being. This would be useless, of course, as applied to idiocy, or that

class which bears the terrible name of Mania Ferox; but even with them he observes the same principle as much as possible. When a patient is brought to the Retreat, the physician converses with him freely; and, without attempting to deceive, states all that is known of his case, explains that he is brought there for the purpose of being cured of a disease which happens to affect his mind, as it might have done his body; that he will have every possible freedom consistent with his own safety, and the comfort of his friends; but that he must conform exactly to the regulations established for the good order of the house.

The same cordial, unreserved system is pursued from first to last; and even if there be no cure in the end, still it must diminish greatly the misery of the patients. Nor need I observe how much a knowledge of this fact is calculated to alleviate the affliction of friends, who, after all, may often be the parties most in need of commiseration.

In practical illustration of this system, Dr Todd carried us to a neatly furnished parlour, where we found eight or ten females seated at their work. Instead of showing them off like monsters, he introduced us to each of them, and encouraged conversation as if all the company had been in perfect health.

It is curious to observe how much the fancy

sometimes takes possession of the thoughts when we are engaged in such desultory enquiries. At the Penitentiary, we fancied crime was written in every countenance, though some of these culprits, as we supposed them, proved to be very trustworthy keepers! Amongst the Deaf and Dumb, the sound of a voice made us start; while at the Insane Establishment, it looked quite strange to see people talking in company—as we forgot that neither silence nor solitude were characteristics there.

The following extracts from the Report of the Visiting Physicians of the Retreat at Hartford, will, I have no doubt, be read with interest. The allusion in the first part is important, and gives me an opportunity of saying, that all over America, I observed that in such offices of active benevolence, the share taken by the ladies was of first-rate practical consequence. "The characters of the keepers, the condition and treatment of the individual patients, and, through the medium of the ladies,—who always compose a part of the Committee on these occasions,—the household concerns of the Institution, have been examined every month, by your Committee, and in all these respects we are enabled to speak with decided approbation.

"Of the moral and medical management of the patients, the Committee are bound to give a brief

detail; as the general plan of treatment adopted at this Institution is more or less original, and differs in some material respects from that pursued at any other hospital.

"In respect to the moral and intellectual treatment, the first business of the physician, on the admission of a patient, is to gain his entire confidence. With this view, he is treated with the greatest kindness, however violent his conduct may be,—is allowed all the liberty which his case admits of, and is made to understand, if he is still capable of reflection, that so far from having arrived at a mad-house, where he is to be confined, he has come to a pleasant and cheerful residence, where all kindness and attention will be shown him, and where every means will be employed for the recovery of his health. In case coercion and confinement become necessary, it is impressed upon his mind, that this is not done for the purpose of punishment, but for his own safety and that of his keepers. In no case is deception on the patient employed, or allowed; on the contrary, the greatest frankness, as well as kindness, forms a part of the moral treatment. His case is explained to him, and he is made to understand, as far as possible, the reasons why the treatment to which he is subjected has become necessary.

"By this course of intellectual management, it

has been found, as a matter of experience at our Institution, that patients—who had always been raving when confined without being told the reason, and refractory, when commanded instead of being entreated—soon became peaceable and docile.

"This kind treatment, of course, does not apply to idiots, or those labouring under low grades of mental imbecility; but it is applicable to every other class of mental diseases, whether maniacal or melancholic.

"In respect to the medical and dietetic treatment, it also varies essentially in the main from the course adopted at other hospitals.

"Formerly, patients labouring under mental diseases were largely medicated, chiefly by emetics, cathartics, and bleeding. At the present time, this mode of treatment has given place to intellectual and dietetic regimen, in most European hospitals. The physician of our institution has introduced a course of practice differing from both these, but partaking more or less of each. He combines moral and medical treatment, founded upon the principles of mental philosophy and physiology. In one class of cases moral, and in another medical treatment, become the paramount remedies; but in each class of cases both are combined.

"The proportion of cures which have been ef-

fected at our Retreat has satisfied your committee that the mode of treatment there adopted is highly salutary and proper. During the last year, there have been admitted twenty-three recent cases, of which twenty-one recovered, a number equivalent to $91\frac{5}{10}$ per cent. The whole number of recent cases in the institution during the year was twenty-eight, of which twenty-five have recovered, equal to $89\frac{2}{10}$ per cent.

"At two of the most ancient and celebrated institutions of the same kind in Great Britain, the per centage of recent cases cured has been from thirty-four to fifty-four. In our own country, at two highly respectable institutions, the recent cases cured has amounted to from 25 to 51 per cent."

On the 26th of October we proceeded to New Haven, which is also on the Connecticut, and is considered, alternately with Hartford, the capital of the State; for the legislature meet first at one place, and the next year at the other. This clumsy arrangement requires the annual transfer backwards and forwards of all the records and other papers, to which reference has to be made during the session. It reminds one of those old times, when Parliament met one session at Oxford, the next in London.

We visited on our way an establishment recently

set a-going by a very spirited private individual, in rivalry of the celebrated Military Seminary at West Point, which, as I have mentioned before, is supported at the public expense. The founder and manager was absent, but the professor of mathematics received us most kindly; and under his guidance we inspected the different parts of his establishment, which, though not yet equal to its model, is highly creditable to the skill and industry of the projector.

While we were talking in the court-yard, dinner was announced; and the professor begging us to walk with him, we entered the great hall together. The principal body of the young men, assembled on the exercising ground, were marched to dinner, to the sound of drum and fife, in very good order. About a dozen of the students, however, were first admitted as carvers, and I stood in perfect astonishment at the scene which ensued.

In all countries, old as well as new, gentlemen, to their shame be it said, carve abominably ill; but I had no expectation of seeing any thing so primitive as what now took place. The meat was literally hacked and torn to pieces. In a few minutes afterwards, at a given signal, the other students entered, and there commenced such an exhibition of feeding—or devouring, I may call it—as would have excited the admiration of a cormo-

rant. Some of the youths were spooning great lumps of meat down their throats with their knives, while others helped themselves, two or three at a time, with their own knives and forks, from the same dish! I really never saw any thing so disagreeable.

I relate these circumstances, not certainly for any purpose of ridicule, nor as matter of mere curiosity, but in the hope that the disinterested remarks of a stranger may contribute in some degree to remedy so grievous a defect in good breeding, as that just described. It will be observed, that I have, up to this moment, studiously avoided making allusions in my narrative to any of those points in domestic manners which, in consequence of the difference between American and English usages, appear repugnant to our tastes. But I hope that in speaking of this public establishment, I shall have given no offence, by taking notice of an evil which might so easily be remedied. In what respect, it may be asked, would the studies, and other pursuits of young men at these military and literary seminaries, be injured by requiring of them to cut their meat decently, and eat it leisurely? Or from making it imperative upon them to deport themselves at table, according to those rules and customs established, as matters of course,

amongst gentlemen in every other civilized part of the world?

Next day, we did a good deal of duty in the way of sight-seeing at New Haven. Our guide was Professor Silliman—a gentleman well known to the scientific world as editor of a valuable philosophical journal, which bears his name.

Yale College, of course, was the chief object of attraction; and it was extremely agreeable to see so many good old usages and orthodox notions kept up as rigorously, all things considered, as possible. How long the able and zealous professors of this celebrated establishment will be able to stem effectually that deluge of innovation and would-be improvements in doctrine, discipline, and pursuits, which is sweeping over the rest of the country, and obliterating so many of the landmarks of experience, I cannot pretend to say. Meanwhile, every thing that came under my notice, seemed judiciously regulated. The courses of study were apparently well managed, and the period required was rather longer than we had heard spoken of in other places. But there is here, I suspect, as in every other institution in America, almost insuperable difficulty in prevailing upon the persons, essentially most interested, to remain long enough in training before they start in the vehement race of busy life.

After an early dinner, we drove out of the town to the Grave-yard, one of the prettiest burying places I ever saw. It occupies an area of twenty acres, laid out in avenues, and divided by rows of trees into lots for the different inhabitants. These connecting lanes or roads are not gravelled, but laid down in grass, as well as the intermediate spaces, which are spotted over with handsome monuments of all sizes and forms, giving a lively instead of a gloomy air, to the whole scene.

There is certainly some improvement in this, compared with the practice of huddling together so many graves in the confined space round the places of worship in a populous city. The idea of death and its earthly consequences is said, and probably with truth, to aid the purposes of religion. But it surely does not follow, that these purposes are less usefully served in such a cheerful place as I have been describing, than by the associations connected with a soppy churchyard, where the mourners sink ankle-deep in a rank and offensive mould, mixed up with broken bones and fragments of coffins; or that the cause of virtue is advanced by the recollection of coughs, colds, and rheumatisms out of number, caught whilst half a dozen old fellows, with long-tailed, threadbare black coats, are filling up a grave, for which they themselves might seem the readiest tenants.

It was a biting cold day—but the sun shone out pleasantly on sea and land, and brightened up the last dying tints of the autumn. After an amusing scramble, we gained the brow of a basaltic ridge facing the south, exactly resembling in its geological character, in height, and picturesque appearance, the well-known cliff called Salisbury Crags near Edinburgh. The only difference which I could discover was in this ridge being clad with a forest of young oak-trees, amongst which the Cactus, or prickly pear, was growing in great luxuriance.

Our next visit was to a place of considerable interest, and much celebrated in the early histories of America. It seems that three of those bold men who sat in judgment upon their King, were driven to New England in 1660, after the Restoration, and, during the anxious period which succeeded, when their blood was eagerly sought for, they were often compelled to fly to the interior—then a complete wilderness. It is generally believed that their place of security was a dark cavern, formed by the overhanging rocks, a mile or two to the Eastward of the cliffs just mentioned. The names of these regicides were Goffe, Whalley, and Dixwell; and their retreat is still called the Judge's Cave.

In the evening, I had the pleasure of being introduced to Mr Noah Webster, of New Haven, a

gentleman who has been occupied during the last forty years of his life in preparing a dictionary of the English language, which, I find, has since been published. He includes in it all the technical expressions connected with the arts and sciences. Thus giving, he hopes, as complete a picture as possible of the English language, as it stands at this moment, on both sides of the Atlantic.

We had a pleasant discussion on the use of what are called Americanisms, during which he gave me some new views on this subject. He contended that his countrymen had not only a right to adopt new words, but were obliged to modify the language to suit the novelty of the circumstances, geographical and political, in which they were placed. He fully agreed with me, however, in saying, that where there was an equally expressive English word, cut and dry, it ought to be used in preference to a new one. "Nevertheless," said he, "it is quite impossible to stop the progress of language—it is like the course of the Mississippi, the motion of which, at times, is scarcely perceptible; yet even then it possesses a momentum quite irresistible. It is the same with the language we are speaking of. Words and expressions will be forced into use, in spite of all the exertions of all the writers in the world."

"Yes," I observed; "but surely such innovations are to be deprecated?"

"I don't know that," he replied. "If a word become universally current in America, where English is spoken, why should it not take its station in the language?"

"Because," I said, "there are words enough already; and it only confuses matters, and hurts the cause of letters to introduce such words."

"But," said he, reasonably enough, "in England such things happen currently, and, in process of time, your new words find their way across the Atlantic, and are incorporated in the spoken language here. In like manner," he added, "many of our words, heretofore not used in England, have gradually crept in there, and are now an acknowledged part of the language. The interchange, in short, is inevitable; and, whether desirable or not, cannot be stopped, or even essentially modified."

I asked him what he meant to do in this matter in his dictionary.

"I mean," he said, "to give every word at present in general use, and hope thereby to contribute in some degree to fix the language at its present station. This cannot be done completely; but it may be possible to do a great deal."

I begged to know what he proposed to do with those words which were generally pronounced dif-

ferently in the two countries. "In that case," said he, "I would adopt that which was most consonant to the principles of the English language, as denoted by the analogy of similar words, without regarding which side of the water that analogy favoured. For example, you in England universally say *ch*ivalry—we as generally say *sh*ivalry; but I should certainly give it according to the first way, as more consistent with the principles of the language. On the other hand, your way of pronouncing the word deaf is def—ours, as if it were written deef; and as this is the correct mode, from which you have departed, I shall adhere to the American way."

I was at first surprised when Mr Webster assured me there were not fifty words in all which were used in America and not in England, but I have certainly not been able to collect nearly that number. He told me too, what I did not quite agree to at the time, but which subsequent enquiry has confirmed as far as it has gone, that, (with very few exceptions, all these apparent novelties are merely old English words, brought over to America by the early settlers, being current at home when they set out on their pilgrimage, and here they have remained in good use ever since.)

On the 29th October, we proceeded in a steamboat from New Haven, down what is called Long Island Sound, and through the well-known nar

row pass which bears the ominous name of Hell's Gates. But as it was almost dark before we reached New York, we were deprived, for the second time, of a view of this noble city on approaching it by water.

Next morning we roved about the streets, which now assumed a familiar, home sort of look to our eyes. All that visionary, dreamy kind of effect which the strange mixture of new and old objects had excited on first landing from England, had so completely fled, that I could with difficulty recall even a trace of it to my mind. The experience of five months' travelling, and the perpetual references to New York, and to persons and things connected with it, had given it an established, local habitation in our thoughts. We were soon, indeed, made still more sensible of our sympathy with it, by the renewed attentions and kind offices of every description on the part of friends, who would give the character of home to any quarter of the world.

On going to the custom-house one day, I found that a box of dresses, and other things, all liable to duty, had arrived in our absence. In the bill of lading, these articles had been accidentally styled merchandise, which created some difficulty. "I suppose they are things that have been worn?" said the collector to me, with the good-natured air of a man wishing to be civil, and anxious to

discover an opening by which his official strictness might escape. I was, however, obliged to say that I feared not one of the things had yet been on. I bethought me, however, of a method of coming to the same point. "They will all," I said, "most probably be worn out in travelling over this country; and if your wish be, as I have no doubt it is, to contribute to our peace and comfort on the journey, you may certainly assist us, by letting this finery pass without delay." I saw by the smile which this speech produced, that the captive wardrobe was about to be released; and accordingly the docket or cocket, or whatever it was, being instantly signed, the goods and chattels were delivered from bondage in ten minutes!

On the 1st of November, we had a famous cruize over the greater part of the magnificent harbour of New York; and though the air was rather cold, all nature looked so beautiful, that we enjoyed the excursion much. On the first day of every month throughout the year, a number of packet ships sail from this grand focus of American commerce, to various parts of the world; and as they all start about the same hour, no small bustle is the necessary consequence. Exactly as the clock strikes ten, a steam-boat with the passengers for the different packets, leaves the wharf, close to a beautiful public promenade called the Battery. We

resolved to take a trip in this boat on the morning in question, as if we had been embarking for a voyage, but merely to see how things were managed. The crowd on the shore was immense. Troops of friends, assembled to take leave, were jostled by tradesmen, hotel keepers, and hackney coachmen, urging the payment of their accounts, and by newsmen disposing of papers wet from the printing press, squeezing amongst carts, waggons, and wheelbarrows, filled with luggage. Through this crowd of idle and busy folks, we elbowed our way, with some difficulty, and at last found ourselves on the deck of the steamer. Here a new description of confusion presented itself. There were no fewer, the captain assured us, than one hundred and sixty passengers on board his boat at that moment, destined for the different packets; each of whom may fairly be allowed to have had at least one parting friend; the crush, therefore, may be imagined!

At length we put off, and paddled alongside of two packets for Havre, two for New Orleans, and one for each of the following ports, Charleston, London, and Liverpool. Every set of passengers was accompanied by a huge mountain of chests, portmanteaus, bags, writing-desks, bird-cages, bandboxes, cradles, and the whole family of great-coats, boat-cloaks, umbrellas, and parasols. The

captains of the several packets were of course on board the steamer, in charge of their monstrous letter bags; while close under their lee came the watch maker, with a regiment of chronometers, which he guarded and coddled with as much care as if they had been his children. The several stewards of the packets formed a material portion of our motley crew, each being surrounded, like the tenants of the ark, with every living thing, hens, ducks, turkeys, to say nothing of beef and mutton in joints, bags of greens, baskets of eggs, bread, and all the et cæteras of sea luxury. Slender clerks, belonging to the different mercantile houses, flitted about with bundles of letters, bills of lading, and so forth. Some people, whom business prevented from accompanying their friends to the ships, were obliged to take leave in the hot haste peculiar to steam navigation; and I could see, here and there, one or two of those briny drops which rush unbidden to the eyelids at such moments—though, in truth, the general character of the scene was sheer selfish bustle, in which far more anxiety was shown about baggage than about sentiment.

At one end of the deck stood a very lively set of personages, chattering away at a most prodigious rate, as if the fate of mightiest monarchies, to say nothing of Republics, depended upon their

volubility. This group consisted of a complete company of French players, with all their lap-dogs, black servants, helmets, swords, and draperies—the tinsel and glitter of their gay profession. They had been acting for some time at New York, and were now shifting the scene to New Orleans, as the sickly season had gone past. Our ears could also catch, at the same moment, the mingled sounds of no less than five different languages, French, Spanish, German, Italian, and English, all running on without the parties having the least apparent consciousness that there was any thing remarkable in such a confusion of tongues. We, indeed, appeared to be the only two unconcerned spectators on board; and, accordingly, were allowed to ramble about the decks unnoticed, or to mount the scaffolding near the machinery, or to sit on the benches along the deck, as these situations afforded facilities for seeing and hearing what was going on.

Every mortal on board the ships which we visited, was engaged with his own particular business. The captain, the mate, the crew, were severally employed in heaving up the anchor, hoisting the luggage in, or in making sail; while the poor bewildered passengers wandered about, ignorant where to go, mistaking the forecastle for the poop, the caboose for the cabin; and all the

while undergoing the torture of seeing their darling bags and boxes pitched about, or cast into the bottomless pit of the inexorable hold! The pilot roared and swore to the master, that if more haste were not made, the tide would be lost. The captain, of course, handed over these reproaches, with interest, to the officers, who bestowed them, with suitable variations, on the seamen, and these again, though in a lower key, growled and muttered their execrations upon the poor new comers. The hens lay cackling and sprawling in bunches of a dozen each, tied by the legs;—while the pigs ran madly about, under the influence of a shower of kicks, squealing in concert with the fizzing of the steam from the waste pipe of the engine!

CHAPTER XI.

THE city of New York, and indeed the whole State bearing the name of that grand sea-port, was at this period, November 1827, agitated by the tempest of a popular election; and as I was anxious to make myself acquainted with the details of the machinery by which such things are carried forward in America, I resolved to give the subject fair play, by remaining for some time on the spot. During a whole month, accordingly, I devoted my time as assiduously as possible to this one purpose. I am quite sensible that to have dived completely to the bottom of all the intrigues, and counter intrigues, or to have mastered the infinite variety and complicated ramifications of party, as many weeks as I could afford days would not have been sufficient. My object, however, was different; for I had no hope, and no great wish, to arrive at a minute knowledge of circumstances not essentially connected with the general principles of the

system I was anxious to understand. Many such points, it is true, did come, incidentally, under my view, and thus helped occasionally to explain anomalies which at first had greatly perplexed me. But there were still many things which I could by no means fathom; and though I was sometimes told that in this way I had lost much, I had no reason, upon a further acquaintance with the subject, to think these minute particulars were of great consequence, since they generally hinged upon some personal considerations having no concern with the main question.

I laid myself out on this occasion, to make acquaintance with all sorts of people, with men of all parties, and with persons of every different degree of standing in the estimation of the public. In general, I found these gentlemen as unreserved in their communications as could be wished. Of course, very different statements were made by the different sides; and often also, entirely opposite opinions were expressed by persons of the same way of thinking in politics, but who took different views as to the fittest method of initiating a stranger into such mysteries. On these occasions, however, I had always abundant means, ready at hand, of checking the information obtained from one man, by reference to that derived from others. While watching the progress of events, also, I could

pretty generally subject what I heard to a certain amount of experimental scrutiny.

I am thus particular in stating the degree of pains which I took to arrive at a correct knowledge of these subjects, because it has been said again and again by the Americans, that no traveller has ever staid long enough amongst them to know what is going on; and consequently, that the opinions formed by foreigners have heretofore been invariably hasty and prejudiced. No man, as I have said before, can pretend to be free from error in such enquiries. But on this occasion, at least, it might easily be shown, even to the satisfaction of many of these objectors, that however erroneously the subject may be handled, it was certainly not examined hastily or carelessly, or without the constant and friendly assistance of well-qualified local authorities. To give the details of these conversations is impossible. Even to mention the names of the persons with whom I communicated, or to allude to them, however indirectly, might be thought indelicate and unfair in many cases; and certainly this sort of reference could not be made useful for any effective purpose of authority, without in some degree withdrawing that confidential veil, behind which I felt at the time most happy and most proud to be admitted. I might possibly never have received this information, had there not

been a tacit understanding, that the main object of such frank communications was to guide my immediate researches on the spot, and was never meant to be quoted in order to substantiate any opinions I might express at a future time.

I have, indeed, occasionally thought of attempting to arrange and modify my own ideas on the workings of the republican system of America, by combining them with the opinions of gentlemen on the spot, and with those of previous travellers and writers on such subjects; but having satisfied myself, after some reflection, that although much might thereby be gained in extent and variety of knowledge, much, also, of the freshness of original observation, might probably evaporate. I have, therefore, determined to put forth my own incomplete and crude remarks alone; though I shall be sorry if these sketches—for truly they are no more—be considered as attempts to exhaust so copious a subject. Their only purpose is, to describe the state of things as they appeared to me, in the United States at the time of my visit. Whether those impressions be correct or not, is, of course, another affair. My first object is to be thoroughly understood; and if I can accomplish this point, the collateral, or secondary reflections, such as they are, may stand or fall, according to circumstances; every one being at liberty to draw fresh inferences

for himself from the picture I shall endeavour to present.

The Union of the Americans as a political body existed long antecedent to the Revolution of 1776, which ended in the entire separation of the colonies from the parent State. Such mutual agreements amongst themselves were considered necessary to their safety and prosperity, long before they dreamed of absolute and entire Independence. So early as the middle of the seventeenth century, several of the colonies entered into an offensive and defensive league by the name of the United Colonies of New England. They had a 'Congress' which met annually; and every determination in which three-fourths of the assembly concurred, was binding on the whole confederacy. This was the first of a long series of efforts for a more extensive and perfect Union of the colonies. The Mother Country, indeed, was at that time too much occupied with a civil war on her own immediate soil, to think of such remote symptoms of a wish for Independence; and the Union alluded to lasted nearly half a century. Occasional Congresses, however, were held from time to time, chiefly, indeed, for the purpose of concerting measures for the defence of the frontiers, always menaced by the Indians. As might be expected, these meetings tended more or

less to familiarize the people with the idea of self-government.

In 1754, a Congress was called of commissioners from seven of the colonies, at the instance of the Lords Commissioners for Trade and the Plantations, to consider what might be the best means of defending America in the event of a war with France. The object of the English Administration was of a more limited nature than that which the colonies had in view. At all events, they took advantage of the opportunity to promulgate various opinions, which, whether cause or effect, in themselves certainly contributed to give currency to many doctrines subsequently of great importance in that country. Some of the delegates, for instance, were instructed to enter into articles of Union in peace as well as in war. The convention also voted, unanimously, that a Union of the colonies was absolutely necessary for their preservation. It was then proposed to have a general council of delegates, to be triennially chosen by the provincial assemblies, and a 'President General' to be appointed by the crown. They were to have the power of making laws for the government of the new settlements—to raise troops—to build forts—to equip vessels, and so on. They were also to have the power of making laws and levying taxes.

But as these projects were then thought too daring, they were rejected, not only by the crown—which was to have been expected—but what showed plainly enough that the times were not yet ripe for revolt, by every one of the provincial assemblies likewise.

Meanwhile, the different colonies were kept in such a state of constant irritation by their internal disputes as to boundary lines, and charter claims, that even Dr Franklin, in 1761, observed, that any Union of the Colonies was absolutely impossible, unless brought about by the most grievous tyranny and oppression.

In the year 1765, a Congress of Delegates from nine of the colonies was assembled at New York, in consequence of measures connected with the subject of colonial taxation, proposed by England. This Congress drew up a Bill of Rights, in which the power of taxation was declared to reside in their own Colonial Legislatures. This was preparatory to a more extensive and general association of the colonies in 1774, which laid the foundation of the present state of things in America. For while the British Government, on their part, were resolved to try their strength in establishing the measures in dispute, the resolutions of this Congress, declaratory of what they deemed their inalienable rights as freemen, were received with acclamation over

the country, and the Union may be said to have been then fairly established.

In May 1775, a Congress was again assembled at Philadelphia, with still more extensive powers. They had authority from their constituents to "concert, agree upon, direct, order, and prosecute such measures as they should deem most fit and proper to obtain redress of American grievances;" in short, to manage the struggle with the Mother Country. The number of colonies concerned in these bold measures was thirteen.

Hostilities soon followed. Manifestoes were published to the country, and to the world, explanatory of their motives and objects; armies and fleets were prepared, a paper currency issued on the faith of the Union, and gradually all the powers of sovereignty were assumed by the colonies, wanting only the last, irrevocable step, which was not taken till the 4th of July 1776, when the celebrated Declaration of Independence was promulgated in the name, and by the authority, of the American people.

It is not my purpose to discuss the question of right or wrong, as to this important measure. The colonists thought themselves—with what justice, and with what discretion, history must tell—in a situation to manage their own affairs better alone, than with our assistance. They also thought them-

selves strong enough to try this matter by an appeal to arms, and here certainly the result showed no error in the calculation. An excuse was readily found for throwing off their allegiance. The battle was fought—they gained their point—we acknowledged their right to govern themselves, and they have accordingly enjoyed this privilege ever since, under circumstances which the world never saw before, and will probably never see again. They had a wide, unpeopled, fertile country over which to spread themselves; they had no neighbours to interfere with them, and they had the accumulated experience of ages to choose from in their selection of a form of government.

The first proceeding of the Congress was to digest and prepare Articles of Confederation, by which the newly launched vessel of the State might be rigged, manned, and navigated. These, however, were not such easy matters; and it was a long time before the Congress could adjust the discordant interests and purposes of the thirteen united communities, so as to agree upon the terms of their mutual compact. When the Articles came to be considered afterwards in each of the separate States, they were met by still greater obstacles. In consequence of which, it was not till March 1781, that the well-known "Articles of Confederation" received the unanimous appro-

bation of the United States—three years after their first promulgation.

These minor difficulties, started during a period when cordial union was of the utmost importance, form, according to the language of a distinguished American writer, a striking "example of the mighty force of local interests, and discordant passions, and they teach a monitory lesson of moderation to political councils." *

The Articles of Confederation, though very imperfect in many respects, served, nevertheless, to carry the country triumphantly through the contest in which they were embarked. The great error of the arrangement alluded to, say the American writers, was that the Decrees of the Federal Council were carried in their sovereign capacity to the separate States, none of which ever intended to relinquish its independent sovereignty. The State Legislatures, however, even in moments of the greatest conceivable difficulty and national danger, when the enemy was still in the country, refused to confer upon Congress the right to exercise this permanent authority. Neither was there any arrangement in the original Articles of Confederation by which Congress could add a sanction to enforce its laws. Their powers, indeed, were much

* Kent's Commentaries, vol. I. p. 198.

cramped by the omission of any constructive provision which might authorize them to exercise an implied authority. In other words, these Articles were to be acted upon literally, and nothing 'construed,' as it is called, in a sense different from its obvious and direct meaning. Neither had this Congress any authority to interfere in contests between the different States.

As the danger and difficulties of war subsided, the obedience to this very ill-constructed form of government was of course still further loosened. The requisitions made by the federal head to the different States for pecuniary supplies were despised. The national arrangements seemed almost entirely abandoned, for what one State refused to do, another, on that very plea, declined likewise; thus, nearly the whole weight even of the current expenses of the country fell on a few States.

"It was found impracticable," says Chancellor Kent, "to unite the States in any provision for the national safety and honour. Interfering regulations of trade, and interfering claims of territory, were dissolving the friendly attachments, and the sense of common interest, which had cemented the Union during the arduous struggles of the Revolution. Symptoms of distress, and marks of humiliation, were rapidly accumulating. It was

with difficulty that the attention of the States could be sufficiently excited to induce them to keep up an adequate representation in Congress, to form a quorum for business. The finances of the Union were annihilated. The whole army of the United States was reduced, in 1784, to eighty persons, and the States were urged to provide some of the militia to garrison the Western Ports. 'In short,' to use the language of the Federalist, 'each State, yielding to the voice of immediate interest or convenience, successively withdrew its support from the confederation, till the frail and tottering edifice was ready to fall upon our heads, and crush us beneath its ruins.'

"Most of the federal constitutions in the world have degenerated or perished in the same way, and by the same means. They are to be classed among the most defective political institutions which have been erected by mankind." *

In this opinion of the old confederation, most people, even in that country, will agree. The writer ascribes the evil chiefly to the mistake of constituting a sovereignty over sovereigns. "The inevitable consequence," he says, "in every case in which a member of the Union chose to be disobedient, was either a civil war, or the annihilation

* Kent's Commentaries, vol. I. p. 203.

of national authority."* We shall see by and by how far this defect was remedied by the ingenuity of the statesmen who followed.

The first efforts to relieve the country from national degradation and ruin, came in the shape of a proposition from the State of Virginia, to form a convention of delegates to regulate commerce with foreign nations. Several States sent members to this meeting in 1786; but finding they could do little or nothing towards remedying the evils in question, they concurred in a strong application to Congress for a general convention, to take into consideration the whole condition of the United States. The suggestion was adopted by them all, excepting Rhode Island, and each sent delegates accordingly, who assembled at Philadelphia in May 1787.

After several months of deliberation, the Convention agreed on the plan of government which now forms the Constitution of the Union. As this measure, however, required the individual sanction of the different sovereign States, it was submitted to conventions of delegates, chosen by the people at large in each. "This," Chancellor Kent goes on to say, "was laying the foundations of the fabric of our national polity where alone they ought to

* Kent's Commentaries, vol. I. p. 203.

be laid—on the broad consent of the people. The Constitution underwent a severe scrutiny and long discussion, not only in public prints and private circles, but solemnly and publicly, by the many illustrious statesmen who composed these local conventions. Nearly a year elapsed before it received the ratification of a requisite number of States to give it a political existence. New Hampshire was the ninth State which adopted the constitution, and thereby, according to one of its articles, 'it was to become the government of the States so ratifying the same.' Her example was immediately followed by the powerful States of Virginia and New York; and, on the 4th of March, 1789, the Government was duly organized and put in operation."

Thus, it will be observed, the present Government of the United States is now—1829—in strictness, just forty years old, or considerably short of half a century. So that any arguments as to its future stability, drawn from the experiment having succeeded for upwards of fifty years—and I have heard many such—are not quite fairly deduced. The Government, antecedent to 1789, is admitted, even in America, to have been a failure. It remains to be seen what its successor will prove. The ten years required to complete the half cen-

tury, form, indeed, a short period in the history of other countries; but in that of America they occupy one-fourth part of its whole existence.

The abortive Confederation alluded to, which lasted eight years, and the subsequent Constitution, which has lasted five times as long, are supposed by the Americans to be sufficiently distinct in their essential principles to afford grounds for believing, that the present state of things will enjoy greater favour from time, and become, in fact, the permanent Government of the country. I have come to be deliberately persuaded, however, that such expectations have no solid foundation, either in the nature of human society, generally considered, or in what experience has hitherto shown, and is now showing more and more, every day, under the operation of this Constitution, somewhat boldly put forward as the wisest which the world has ever seen.

In order to make my opinions on this subject intelligible, as well as the descriptions by which I hope to support them, it will be necessary to mention slightly, what are the chief provisions of the written Constitution of the United States as it now stands. But I must observe in passing, that very few indeed of these provisions are universally acquiesced in over the country; and many of the

most important have long been, and still are, the subject of vehement altercations.

The legislative power is vested in a Congress, consisting of two bodies—the House of Representatives, and the Senate. The Representatives are required to be at least twenty-five years of age, they must have been seven years citizens, and must also be inhabitants of the State in which they are chosen. They are elected biennially by the people, the suffrage being universal, or very nearly so. By an act of Congress, dated 7th March, 1822, the Representatives were apportioned among the several States according to the fourth census, taken in 1820. The ratio then fixed upon was one Representative to every forty thousand persons in each State, making the whole 213 members.*

In the discussions which arose during the formation of the Constitution, a difficulty was started as to the number of members who should be sent to Congress by the slave-holding States; and it was at length decided, that as far as the rule of apportionment, fixing the number of members according to population, was concerned, every five slaves should count as three freemen; and such has been the practice ever since.

* Ingersoll's Abridgement, page 68.

The census of 1820 gives the following for the population—Total 9,638,226 :*

Of which were Whites, . . .	7,861,935
Slaves, ...	1,538,118
Free Blacks, ...	233,557
All other persons, except Indians, not naturalized, ...	4,616

The Senate of the United States is composed of two Senators from each State in the Union, who are chosen for periods of six years, by the respective Legislatures of the States; consequently, there are now 48 Senators in Congress, who represent the 24 States of the Union, and one third of these go out every second year, when they may or may not be re-elected. Thus, while the mere number of the population, officially ascertained once in every ten years, regulates the number of members in the House of Representatives, that of the Senate never varies, unless when a new State is admitted into the Union, upon which two Senators are added to Congress, together with one member to the House of Representatives for every forty thousand of the new citizens. The election of the members of the Senate by the State Legislatures is, I understand, considered a constitutional recognition of the se-

* Carey and Lea's Atlas.

parate and independent existence of the States as sovereign powers.

I may here mention, as an instance of the extreme difficulty of regulating such matters by any written instrument which human ingenuity has yet devised, that doubts have more than once arisen as to what is meant by this apparently plain expression in the Constitution, "The Senators shall be chosen by the Legislatures of the States." Some parties contend, that this is meant to confer the power upon these Legislatures in their true, technical or legislative sense, being the two Houses acting in their separate, organized capacity, with the ordinary constitutional right of a negative on one another's proceedings. But the practice in some States, notwithstanding the apparently obvious meaning of the terms of the Constitution, is to elect the Senators to Congress by joint ballot of the two Houses, so that the weight of the least numerous House of the two is dissipated and lost in the more numerous votes of the popular branch. And here we see the beginning of a system which I shall shortly endeavour to explain.

Many of the grievous evils of the old Confederation, glanced at above, were ascribed to the circumstance of that Government consisting of only one body. Indeed, it was admitted on all hands, or nearly so, "that single assemblies, without check

or balance, or a government collected into one centre, were visionary, violent, intriguing, corrupt, and tyrannical dominations of majorities over minorities, and uniformly and rapidly terminating their career in a profligate despotism." *

The division of the Legislature into two bodies is undoubtedly essential to good government, as it prevents the action of those sudden and violent impulses which all experience shows are liable to obtain the mastery over single assemblies, but which are not so liable to extend their influence to other deliberative bodies. "A hasty decision is not so likely to arrive to the solemnities of a law, when it is to be arrested in its course, and made to undergo the deliberation, and probably the jealous and critical revision, of another and a rival body of men, sitting in a different place, and under better advantages, to avoid the prepossessions and correct the errors of the other branch." †

Such, in a few words, is the structure of the Congress, which forms the legislative branch of the American Government.

The Legislatures of the different individual States, it may be well to mention here, are formed nearly on the same principles, and after the same model as Congress. In five States the Houses

* Kent, vol. I. p. 209. † Ibid. p. 203.

of Representatives are elected for two years, but in the other nineteen they are chosen annually. In one State only the Senators sit for five years without break of any kind. In eight of the State Legislatures the Senators are elected for four years, in four of which it is arranged that one half of the number shall go out every second year, while in the others one quarter go out annually. In four States they are elected for three years, one third going out annually. In two the Senators are elected for two years; and in the remaining nine, the Senators are elected annually.

Every member of Congress, Senator as well as Representative, receives, during the actual session, a daily pay, or compensation, of eight dollars, or about L.1, 16s., and a like sum for every 20 miles of estimated distance, by the most usual road, from his place of residence to the seat of Congress.*

In all the 24 State Legislatures, also, the members receive a daily pecuniary compensation for their trouble and loss of time, and also for their travelling expenses. In the State of New York three dollars a-day is the allowance, and in New Hampshire it is two dollars.

* Ingersoll's Abridgement, p. 66.

It is not easy, I found, to ascertain the exact number of Legislators, Congress included, who are in Session every winter in the United States; but from all I could learn from persons most likely to be correctly informed, it certainly does not fall much short of four thousand, and a great majority of all these are changed every year.

"The powers of Congress extend, generally, to all objects of a national nature. They are authorized to provide for the common defence and general welfare; and, for that purpose, among other express grants, they are authorized to lay and collect taxes, duties, imposts, and excises; to borrow money on the credit of the States; to regulate commerce with foreign nations, and among the several States, and with the Indian tribes; to declare war, and define and punish offences against the law of nations; to raise, maintain, and govern armies, and a navy; to organize, arm, and discipline the militia; and to give full efficacy to all the powers contained in the Constitution. Some of these powers, as the levying of taxes, duties, and excise, are concurrent with similar powers in the several States; but, in most cases, these powers are exclusive, because the concurrent exercise of them by the States separately would disturb the general harmony and peace, and because they would be

apt to be repugnant to each other in practice, and lead to dangerous collisions."*

Every other legislative power, not expressly granted to Congress by the constitution, is left to the separate States, each of which is considered independent, and possessed of the exclusive control of all concerns merely local.

It is not to be supposed, however, that this arrangement and distribution of powers is so simple as to be universally intelligible, or so convenient to the different parties respectively, as to be quietly acquiesced in. On the contrary, interminable disputes have arisen on points where, there is every reason to believe, the framers of the Constitution took more than ordinary pains to leave nothing to implication, or to 'construction,' as it is called. It will fall in my way to allude to some of these disputes in the course of the journey, as they throw great light on the internal workings of this singular experiment in the science of government.

The executive power of the United States is vested in a President, who, though he holds his office for a term of only four years, may be re-elected. He must have reached the age of 35, and be a natural born citizen, or have been a citizen of the United States on the 4th of March, 1789,

* Kent, vol. I. p. 222.

when the Constitution was adopted, and he must also have resided fourteen years in the country.

"The mode of his appointment," says Chancellor Kent, "presented one of the most difficult and momentous questions that could have occupied the assembly which framed the Constitution; and if ever the tranquillity of this nation is to be disturbed, and its peace jeopardised by a struggle for power among themselves, it will be upon this very subject of the choice of a President. This is the question that is to test the goodness, and try the strength of the Constitution; and if we shall be able," adds this distinguished jurist, "for half a century hereafter to continue to elect the chief magistrate with discretion, moderation, and integrity, we shall undoubtedly stamp the highest value on our national character, and recommend our republican institutions, if not to the imitation, yet certainly to the esteem and admiration of the more enlightened part of mankind. The experience of ancient and modern Europe has been unfavourable to the practicability of a fair and peaceable popular election of the executive head of a great nation."*

Here I may remark, that the half century often referred to as the interval during which the mea-

* Kent, vol. I. p. 256.

sure in question is to be considered merely experimental, and antecedent to which, I presume, foreigners may suspend their esteem and admiration, has not nearly expired. The Constitution went into operation on the 4th of March, 1789, forty years ago; but that particular part of it of which we are now speaking, relating to the election of the executive head, and which, in the opinion of the wisest men in America, is to form the touchstone of the whole, being clearly the most important, has been changed within the present century. A material alteration, as it is thought to be in America, was made in the mode of election, by an amendment to the Constitution in 1804. The first practical exercise of the new powers vested in the people, after this change, was in the Presidential election of the same year. In strictness, therefore, only 25 years, or barely one half of the fatal term, has yet elapsed. How far the experience of that period gives a fair promise for the future, I shall consider in its proper place. At present, it may be interesting to point out the methods by which the statesmen who framed the original Constitution hoped to evade the evils which they well knew surrounded the subject, as well as the alterations subsequently made upon that part of the Constitution.

Before describing the form of electing the chief

magistrate, it may be well to apprize persons who are not much acquainted with American affairs, that the whole system, from top to bottom, is one of avowed distrust of public men; in which, accordingly, every art is used, on principle, to complicate the machinery of electioneering, in order to scatter the conflicting motives in such a way, that every man shall act more or less as a check on his neighbour. This universal want of confidence in all who interfere in public affairs,—that is to say, very nearly the whole body of the people,—is confessedly the main-spring of their political movements.

"The Constitution," says Chancellor Kent, "from an enlightened view of all the difficulties that attend the subject, has not thought it safe or prudent to refer the election of a President directly or immediately to the people; but it has confided the power to a small body of electors, appointed in each State under the direction of the legislature; and to close the opportunity as much as possible against negotiation, intrigue, and corruption, it has declared that Congress may determine the time of choosing the electors, and the day on which they shall vote, and that the day of election shall be the same in every State."*

All these devices, however, avail but little;—for

* Kent's Commentaries, vol. I. p. 257.

since the manner of choosing the said electors is left to the legislatures of the States—and these legislatures are not only elected annually, but by universal suffrage—the choice of the Presidential electors comes, as will be seen presently, almost as directly from the people as if it had been arranged by the Constitution to place it in their hands at once.

As the choice of the chief magistrate is a matter of high importance in America, and is really very curious in itself, I shall give some details respecting it, which seem calculated to illustrate the topic generally. To go into any minute detail, is out of the question; but an idea of the whole may perhaps be obtained from what I shall now state.

The Constitution says, in Article II. sect. 1: "Each State shall appoint, in such manner as the legislature may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the Congress; but no senator, or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

"The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number

of votes of each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such a number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President. And if no person have a majority, then, from the five highest on the list, the said House shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States; and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be the Vice-President. But if there should remain two or more, who have equal votes, the Senate shall choose from them, by ballot, the Vice-President."

Such is the original wording of the Constitution; but an alteration was made, previous to the election of 1804. By the above Article in the Constitution, it will be seen that the electors are called upon to vote for two persons, without specifying which of the two they wish to be President; leaving that question to the ultimate result of the numbers. This it was alleged had the effect, or might have the effect, of bringing in a person to the Presidential chair—the highest office in the State—when the electors might have intended him merely for Vice-President, an office comparatively of small importance. It was thought, however, by the Democratic party, which by this time had gained the ascendency, that it would be an improvement, to direct the electors to specify distinctly and separately, which person they wished for President, and which for Vice-President. And a change in this important part of the Constitution was made accordingly.

The amended part of the article, now, runs thus:—"The electors shall name in their ballots the person voted for as President, and in distinct ballots, the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and cer-

tify, and transmit, sealed, to the seat of government of the United States. The person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed, and if no person have such majority, then from the persons having the highest number, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately by ballot the President." *

The number of Senators in Congress, as I have already mentioned, is 48, or two from each of the 24 States. The House of Representatives contains at present 213 members, making in all 261 persons in Congress. Consequently, by the terms of the Constitution just quoted, this is the present number of electors of the President. If a majority of these, or 131, decide for any one candidate, he is considered as elected, without further discussion. But if there be more than two candidates, and that none of these have 131 votes, the House of Representatives proceed immediately to ballot for the President from the highest names on the list. The members of the House of Representatives do not vote upon this occasion individually—in which case there would be 213 votes—but by States, which

* Amendments to the Constitution, Article XII., adopted in 1804.

reduces the votes to 24. The members of each State respectively, in the House, having formed themselves into as many committees as there are States, determine which candidate their State shall vote for. When they have agreed upon this point, either unanimously, or by a majority, they give one ticket into the ballot-box. Every State, therefore, whatever be the number of its Representatives, has the same weight on this occasion, the small as well as the great. Thus, New York, which, by reason of her large population, sends 34 members to the House of Representatives, has no more influence in balloting for the President than the State of New Jersey, which sends only 6.

The most memorable occasion on which the choice of President devolved upon the House of Representatives, was at the election of 1800; and the details are so curious, that I shall insert a memorandum of the whole proceeding, as I find it in Mr Rawle's Work on the Constitution, Appendix, p. 310.

The number of electors, I ought to mention, was then much smaller than it is now, as there were only 16 States, instead of 24, and the population was greatly less.

There were four candidates, and the votes stood as follows:—

Thomas Jefferson, . .	73
Aaron Burr, . . .	73
John Adams, . . .	64
Thomas Pinckney, . .	63

" The equality of the votes for Mr Jefferson and Mr Burr, produced an arduous contest in the House, the history of which is worth preservation.

" The declaration of the votes took place in the Senate Chamber, on Wednesday, the 11th of February. After the declaration that a choice had not been made by the electors, and that it devolved on the House of Representatives, the House convened in its own chamber, and furnished seats for the Senate *as witnesses.* The House had previously adopted rules, that it should continue to ballot, without interruption by other business, and should not adjourn, but have a permanent session until the choice be made; and that the doors of the House shall be closed during the balloting, except against the officers of the House.

" The following was directed to be the mode of balloting:

" Each State had a ballot-box in which the members belonging to it, having previously appointed a teller, put the votes of the State; the teller on the part of the United States having then

counted the votes, duplicates of the rest were put by him into two general ballot-boxes. Tellers being nominated by each State, for the purpose of examining the general ballot-boxes, they were divided into two parts, of whom one examined one of the general ballot-boxes, and the other examined the other. Upon comparing the result, and finding them to agree, the votes were stated to the Speaker, who declared them to the House.

"The number of States was at that time 16,—nine necessary to a choice. On the first ballot, Mr Jefferson had eight States, Mr Burr six, and two were divided.

"The first ballot took place about four o'clock, P. M. Seven other ballots, with similar results, succeeded, when a respite took place, during which the members retired to the lobbies and took refreshment. At three o'clock, on the morning of the 12th, two other ballots took place, and at four o'clock in the morning, the 21st trial. At twelve at noon, of the 12th, the 28th ballot took place, when the House adjourned to the next day, having probably, in secret Session, dispensed with the rule for the permanent Session. On Friday, the 13th, the House proceeded to the 30th ballot, without a choice, and again adjourned to the next day. On Saturday, the 14th, the ballotings had the same result. On Tuesday, the 17th, at the

36th ballot, the Speaker declared, at one o'clock, that Mr Jefferson was elected, having the votes of New York, New Jersey, Pennsylvania, Virginia, Kentucky, Georgia, Tennessee, North Carolina, Maryland, four votes for Mr Jefferson and four blanks, and Vermont, one vote for Mr Jefferson and one blank vote. Thus ended the contest; and it merits the attention of the enemies of republican institutions, who are fond of anticipating the occurrence of tumult and violence on such occasions. The decorum with which the whole was conducted, and the ready and peaceable acquiescence of the minority, evince both the sound texture of the Constitution, and the true character of the American people."

In the subsequent elections of a President in 1804, 1808, 1812, 1816, and 1820, there was always a decided majority in favour of one or other candidate; but in 1825, the choice again fell upon the House of Representatives, in consequence of none of the four candidates having a majority of the whole electors. The House came much sooner to a conclusion, however, though this election also turned upon the vote of one State. The same praiseworthy decorum prevailed within the House as upon the former occasion; but, from a pretty extensive personal observation, I can testify that, in its consequences, there has been " tumult and

violence" enough to satisfy the cravings of the most bigoted "enemies of republican institutions." The method used on this occasion, to decide the contest, was similar to that above described. General Jackson had 99 electoral votes, Mr Adams 84, Mr Crawford 41, and Mr Clay 37; and as none of these gentlemen had nearly 131, a majority of the whole electors, the House of Representatives decided, as they were bound by the Constitution to do, and, by a majority of one State, declared Mr Adams President. Yet I have often heard it roundly asserted, that as General Jackson had the greatest number of votes, he was, in strictness, the candidate of the people, and ought to have been nominated President by the House of Representatives.

I do not say that this opinion, which, it will be observed, has not the slightest support from the letter of the written Constitution, is maintained by any of the wisest men in the country; but, what is, practically, much more to the purpose, I know that the principle upon which the assertion turns has a very general and favourable reception with the public.

There is another circumstance, which is thought to be of considerable importance in America by persons who have watched the progress of events, and who greatly fear that the Presidential ques-

tion will lead to mischief. Up to the period of the election of 1824, the candidates for the chair were persons who had signalized themselves more or less in the Revolution, and who, consequently, were considered as possessing, by a sort of prescriptive right, a title to the confidence of their countrymen. Thus, General Washington held the office of President almost as a matter of course, and without dispute, for two periods, that is, for eight years. In 1796, the elder Mr Adams came in for four years, after a successful trial of strength with Mr Jefferson, who, in his turn, gained the day in 1801, after a vehement struggle, which, by all accounts, shook the structure of the Government to its centre. "This election," says Chancellor Kent, "threatened the tranquillity of the Union; and the difficulty that occurred in that case in procuring a constitutional choice, led to the amendment of the Constitution on this very subject; but whether the amendment be for the better or the worse, may be well doubted, and remains yet to be settled by the lights of experience." *

Mr Jefferson was again returned in 1804, under the amended Constitution. Mr Madison, another statesman well known to the Revolution, succeed-

* Kent, vol. I. p. 262.

ed for two periods, or eight years; and then Mr Monroe, in like manner, for two periods. These Presidents, independently altogether of their personal merits, were so much identified with the history of their country, that they were naturally fixed upon as the most obvious persons from whom a selection was to be made to fill the station of Chief Magistrate. But that race having now, in the course of nature, died out, the field has been laid open to an infinitely larger class of competitors, none of whose claims, it may be expected, will ever be recognised in the same way as those which belonged, by general consent, to the first five Presidents, who filled the chair for the thirty-six years which elapsed between General Washington's election in 1789, to Mr Monroe's vacating the chair in 1825.

The question is not whether the country will now get more able or less able men as Presidents, but the description of candidates must, of course, be different. They will come before the country with pretensions unlike those which have heretofore claimed the suffrages of the people, and the probability is, that further changes will be made in the mode of electing the chief magistrate, in order to give the choice a still more popular character, or one more consistent with the range of competition which is widening every day, and also with the

more discursive style of thinking on such subjects which now prevails universally in America.

The technical details of the Presidential Election are not only curious in themselves, but are otherwise interesting, I think, as illustrative of the electioneering machinery in the country. I can give little more than a mere outline, however, as the whole picture would confuse at a distance. Even on the spot, it is by no means easy to command a steady view of it.

All elections in America are managed by ballot, not viva voce; but as the methods by which the votes of the people are collected, differ considerably in the different States, it is material to a right apprehension of the subject that these varieties should be explained.

I have already mentioned that the President is chosen by a body of electors, equal in number to the whole Congress, or 261. Each State in the Union nominates as many of these electors as it sends members to Congress, the number of whom, it will be remembered, is regulated by its population. The Constitution says, that these electors shall be chosen in such manner as the legislatures of the respective States shall direct, and I have already stated how these electors are to proceed to choose the President. I have now, therefore, only to describe in what manner they are themselves chosen,

for upon this point the whole question of the electoral law depends.

There are three ways in which the clause of the Constitution, quoted at page 237, may be obeyed. 1st, The legislatures of the different States may, in their own legislative capacity, assemble and nominate the electors for the President to which their State is entitled. Or, 2dly, they may direct the electors to be chosen by what is called a 'General Ticket.' Or, 3dly, they may direct them to be chosen 'By districts.' These terms, and even the words which compose them, require explanation.

The legislature of each State consists of two Houses, a Senate and House of Assembly; and if they choose to retain the power of naming the electors, there is no further question about the matter, for whichever party has the preponderance in the legislature, of course, carries with it the whole number of electoral votes for that particular State.

The other two methods are not so simple. In every election in America, the friends of the candidates form themselves into committees, one of the chief occupations of which is to circulate amongst the voters a number of slips of paper, or ballots, with their candidate's name printed upon them. These are called 'tickets,' and are dropped by the voters into the ballot-box on the day of election.

When the electors for the President are to be

chosen, the committees on the different sides prepare printed lists, or tickets, of those persons whom they wish to have nominated as electors, from their known predilection for that candidate whose cause they have undertaken to support. Thus, in every State during the recent election of a President, there was a 'Jackson ticket,' and an 'Adams ticket,' put into circulation by the different parties; on one of which were printed, the names of as many electors, previously ascertained to be friendly to General Jackson, as the particular State was entitled to; and on the other ticket, a like number of names of persons pledged, in like manner, to the cause of Mr Adams, then at the head of affairs, which sometimes gave it the name of the 'Administration ticket.'

But the methods used to collect the sense of the people are very different in the two cases 'By General Ticket,' and 'By districts.'

If the law of any State directs the electors for the President to be chosen by 'General Ticket,' then the friends of each candidate prepare respectively a printed list of as many electors as the State is allowed. These two tickets are then put into circulation over the whole State. On the day of election, the ballots, or tickets, in the box, are counted, and if there be one more Jackson ticket than there are Adams tickets, all the electors for that

State go to General Jackson; a bare majority, in this case, deciding which way the whole weight of the votes shall go in the Presidential election.

In the other case, the State being divided into districts, a power is given to each to nominate one or more of the Presidential electors, for that State. The friends of the respective candidates in these districts, prepare tickets containing, not as before, the whole electors, but only the name or names of as many persons as their particular district is allowed to nominate. These are then put into circulation exclusively in that district. If a State, for example, be divided into thirty districts, there will be thirty Jackson tickets, and thirty Adams tickets in circulation in different parts of the State, each containing one or more names of proposed electors. On the day of election, the ballots in the thirty different districts being counted, it will be seen how many electors are chosen for one candidate, and how many for the other. If it happens that these numbers prove equal, then the one side will neutralize the other, and the voice of that State, as far as the Presidential election is concerned, goes for nothing. If the numbers should be unequal, then the difference between the two counts effectually for the candidate who has the majority.

Thus, on the recent election for the President,

in 1828, the State of Pennsylvania, which adopts the 'General ticket' system, nominated the whole of the 28 electors, whose names were on the Jackson ticket. But the State of New York, which is entitled, by her greater population, to nominate 36 electors, made her choice by districts; 20 of these decided for General Jackson, and 16 for Mr Adams, leaving, in strictness, only 4 actual votes for General Jackson; so that, while Pennsylvania chose nearly one-ninth of the whole 261 electors, New York, with a larger population, brought forward, in fact, no more than a sixty-fifth part.

It may be interesting to mention, that in the State of New York, at the recent choice of electors, there were one hundred and forty thousand, seven hundred and sixty-three persons (140,763) who voted in the different districts for the Jackson tickets, and one hundred and thirty-five thousand four hundred and thirteen (135,413) for Mr Adams. The total number, upwards of two hundred and seventy-six thousand, (276,176) was between one-seventh and one-eighth of the whole population of the State of New York, estimated on the 1st January, 1828, at sixteen hundred thousand souls, including women and children. The number of votes taken over the United States, during the same Presidential election, was upwards of eleven hundred thousand, or, as nearly as possible,

one-eleventh part of the whole population, if we include somewhat more than a million of slaves, or between one-eighth and one-ninth part, if we count only the free part of the population.

CHAPTER XII.

As the Law of Elections is a rock upon which many other nations have split, every thing which relates to its history, in a country where the science of government is avowedly made the subject of experiment, carries with it more than common interest. A slight sketch, therefore, of what has actually taken place in one of the principal States —that of New York—may possibly be considered curious by many people, more particularly, as the facts it unfolds to view will materially help the explanation of various collateral matters of some importance. Such a glance, besides showing how the details of such things are managed in America, will serve to give an idea of the unstable nature of written constitutions, where the executive, legislative, and popular powers are all so much intermingled, that none of these members of the body-politic can have any steady independent action.

From the adoption of the United States Consti-

tution in 1789, up to 1824, the electors for the President were invariably chosen, in the State of New York, by the legislature. In the autumn of 1824, a Presidential Election took place, very bitter and acrimonious in its course. The revolutionary stock of Presidents, to use an expression I often heard in America, being exhausted with Mr Monroe, the deference which on previous occasions had been paid to candidates with such historical pretensions, no longer existed; and four prominent candidates, each availing himself of his privilege to assail the rest, took the field—Messrs Crawford, Adams, and Clay, and General Jackson.

The choice of electors being in the legislature, and a majority of the members being known to entertain a preference for Mr Crawford, it was considered next to certain that he would receive the entire vote of the State, or that the whole of the 36 electors named in his ticket would be chosen by the legislature. It became, therefore, a matter of common interest with the several minorities who supported the other three candidates, at all events to prevent this result. Various objections which had been urged during the previous year, against a choice of Presidential Electors by the legislature, were, accordingly, revived with great activity. That mode of election was denounced as anti-republican—aristocratical—as having been unjustly

wrested from the people, and too long withheld from them. The people, as the source of all sovereignty, were urged to re-assume the exercise of their rights, speedily and fully. No doctrine, indeed, could be more palatable to the multitude, for it ministered to their natural proneness to wield all practicable authority. These notions, though urged at first by interested men, for selfish purposes, were so strictly in accordance with the taste of the country, that they soon became general over the State, and the public mind was inflamed thereby to a high degree.

During the session of the legislature in January 1824, vigorous attempts were made to change the law of election. In the House of Assembly, the friends of Mr Crawford, though originally in the majority, at last yielded to the popular ferment, and, after a stormy and protracted debate, passed a bill, directing that the electors for the President should no longer be chosen by the legislature, but by general ticket;—in other words, that a majority of the votes collected over the whole State should carry the day. In the senate, however, which consisted of 32 members, 17, or a bare majority, resisted all the efforts made to shake them, in and out of doors, and seemed determined not to relinquish the Constitutional power which had been so long exercised. The necessary consequence of the bill not

passing both houses before their adjournment, was the indefinite postponement of all projects of change; and, of course, the choice of electors continued, as before, with the legislature.

The popular feeling, however, was not to be so easily stifled, nor their love of change suppressed by a slender majority in the least numerous and popular house in their legislature. These feelings were still farther inflamed by a proclamation issued at midsummer by the governor, in the same year, 1824, convening an extra session, for the express purpose of reconsidering this question, which already agitated the State from end to end. What was very singular, both houses, with more than their usual moral courage, refused to legislate farther, and actually adjourned without making any change in the law.

In November of that year, 1824, the same legislature accordingly assembled for the purpose of choosing the electors for the President; and it so happened, that exactly at this moment the annual general election took place for the legislature of next year, 1825, while that of 1824 was still in session. The people, who were highly indignant at the supposed denial of their rights, returned a large majority of new members to the succeeding legislature favourable to a change in the obnoxious law. This expression of popular sentiment out of doors,

in direct opposition to that of the members then assembled—and the unremitting pressure made upon them by the friends of the three other candidates unfavourably disposed to Mr Crawford—together with the combination of all the parties in the legislature against the candidate supposed to be the strongest, produced a division of their electoral vote, the largest part not being, as had been expected from their former declarations, for Mr Crawford's ticket, but for that of Mr Adams.

This result having destroyed the hopes of that party in the legislature which had reckoned upon Mr Crawford's election, their motive for resisting the change desired by the people was removed, and although they had previously and successfully opposed any change, they now unanimously resolved to relinquish their power of nominating the electors for the President, and to give it into the hands of the people.

A controversy then arose as to what shape the change should take—whether the choice was to be made by a general ticket over the whole State, or whether the electors were to be chosen in separate districts. The legislature, however, not choosing to settle this question themselves, agreed to refer the decision to the State at large. Accordingly, at the annual general election in November, 1825, the votes of the population were taken, as to

which of the two methods they chose to adopt. The greater principle, however, having been already conceded, the people, who had cooled upon the matter, took comparatively little interest in the particular mode by which their increase of power should be exercised, and only about a hundred and thirty-eight thousand voters—about half the usual number,—gave in ballots. Of these a small majority were in favour of the district system.

Two causes led to the adoption of this method, in preference to that by general ticket. An idea had prevailed in the State of New York, that the district method was the most democratical. The inhabitants had also a desire to show an example to the other States, hoping that it might lead to a uniform choice of Presidential electors over the whole Union.

But there appears to have been a fallacy in both these reasonings. The democratical tendency of affairs in America, as I understand the matter, is to preserve and strengthen the power of the separate States; while the federative or anti-democratical tendency is to augment that of the general government, and to diminish the influence of these individual sovereignties. According to these views, therefore, any thing which adds to the power of a particular State, by giving it, for example, a more influential voice in the choice of the President, may

be considered as inclining towards the democratic side, and any thing which diminishes the authority of her voice, as acting in the opposite way.

The district mode of choosing the electors for the President, as I have already shown, may divide the electoral votes, and sometimes makes one portion of the State neutralize the other, as in the recent case of New York. Whereas the general ticket system, by ensuring one undivided list of Presidential electors, preserves to the State its entire strength, one way or the other, in this grand struggle, as in the case of Pennsylvania.

As to the expectation of furnishing an example for the rest of the Union, that appears to have been equally unfounded, since none of the other States adopted the same plan; on the contrary, several of them cast off the district mode, and decided for the general ticket, as the more purely democratical.

A change has, I believe, been made in the present session of 1829, from the district to the general ticket system in the State of New York, in consequence of the feeling being almost universal. So that she will come into the field at the next Presidential election, which takes place in 1832, with not less than forty-two electoral votes, and in all probability with a candidate of her own particular choice.

Such is the history of the electoral law of the

State of New York, as far as regards the choice of a President. Of that which relates to the other members of the Union, I shall merely mention that similar changes in their laws have been made, or are now in progress. It is needless to dwell further upon this branch of the subject, except to remark, that in every instance, without exception, that has come to my knowledge, the object has been to give a more decidedly democratical character, not only to the Presidential election, but to every thing else. I have never been able to hear, even, of one solitary example of any experiment being tried on the other side; and I am certain that any attempt to stop the advancing tide of democracy, at this hour of the day, would be about as effectual as the commands of Canute to the waves of the ocean.

The duties of the President, when at length he is elected, are soon enumerated. He is commander-in-chief of the army and navy, and of the militia of the several States when called into the service of the Union. He has power to grant reprieves and pardons, except in cases of impeachment. 'By and with the advice and consent of the Senate,' he has the power to make treaties; but two-thirds of the senators present must concur, in order to give validity to the negotiations he enters into with foreign powers. Nothing can be more explicit

than the letter of the Constitution on this head. Yet the House of Representatives have sometimes discussed this point warmly; and once actually passed a resolution, declaring, that when a treaty depended for the execution of any of its stipulations on an act of Congress, it was the right and duty of the House to deliberate on the expediency or inexpediency of carrying such treaty into effect.

I mention this merely to show that even where the Constitution is most distinctly worded, opportunities are never wanting to interfere with its operation. On many other occasions, the same principle of interference and convenient construction, inherent in the nature of a popular government, is made to show itself.

The President nominates, and after consulting with the Senate, and obtaining their consent, he appoints ambassadors, public ministers, consuls, the judges of the supreme court, and all other officers whose appointments are not otherwise provided for in the Constitution. The Congress, however, has the power of deciding whether these inferior officers shall be appointed by the President alone, or by the courts of law, or by the heads of the departments to which they belong.

This dependence of the President upon the Senate, is considered by the Americans as a great security for their liberties. It certainly is strictly

in keeping with the universal distrust of which I have already spoken; and if that jealousy and want of confidence be well-founded, nothing can be devised more appropriate than such a check on the executive. How far this division of responsibility relieves men in power from the danger of a heavy reckoning, I do not pretend to say, nor how much is lost of the unity and vigour of political action—whether with reference to domestic affairs, or to foreign relations—by the necessity of constant appeal to so fluctuating a body as the Senate, which, by the nature of things, must be partially informed on the subjects which come before it for decision.

The President is required to give information to Congress from time to time of the state of the Union, and to recommend what he shall judge necessary and expedient. He may convene both Houses on extraordinary occasions. He is required to receive ambassadors and other public ministers; to commission all the officers of the United States; and to take care that the laws be faithfully executed. The President, Vice-President, and all other civil officers of the United States, may be impeached by the House of Representatives, and upon conviction by two-thirds of the Senate, be removed from office. Neither the President, the Secretaries of State, nor any other person holding office under

the United States, is allowed to sit as a member in either House during his continuance in office.

Such then is the structure of the American Constitution, in its two most important particulars—the Legislature and Executive. As to how far it is likely to be permanent, or how far the changes which have already been made both in the Constitution itself, and in the practice of the States with respect to the mode of choosing a President, are wise or unwise, the ablest American authorities are divided in opinion. Indeed, most parties admit that this branch of the Constitution is open to improvement. "The election of a supreme executive magistrate for a whole nation," says a high authority, "affects so many interests, addresses itself so strongly to popular passions, and holds out such powerful temptations to ambition, that it necessarily becomes a strong trial to public virtue, and even hazardous to the public tranquillity."*

In short, the most important element in the whole fabric of the American Government, the key-stone of the arch, or that which all writers agree is the most dangerous to tamper with, is by no means well fixed in its place. It underwent a change, as I have already stated, so recently as

* Kent, vol. I. p. 257.

1804, by the XIIth amendment of the Constitution; and as that alteration has not led to the practical improvements anticipated, the propriety of a further change is now one of the most common topics of discussion. From all I could hear, it seems by no means improbable, that the choice of the President will, ere long, be made by a general ticket over the whole Union, without the intervention of any specific body of electors chosen in the States respectively. After which, the next step will be to abridge the period of holding the office, and not to allow of any re-election—both favourite projects at present.

I shall conclude this branch of the subject, with an extract from the official opinion of one of the ablest practical statesmen in America—the late Mr De Witt Clinton, who, in his annual communication to the legislature of New York, on the 1st of January, 1828, made use of the following remarkable words:—

"But it cannot, nor ought it to be concealed, that our country has been more or less exposed to agitations and commotions for the last seven years. Party spirit has entered the recesses of retirement, violated the sanctity of female character, invaded the tranquillity of private life, and visited with severe inflictions the peace of families. Neither elevation nor humility has been spared, nor the

charities of life, nor distinguished public services, nor the fire-side, nor the altar, been left free from attack; but a licentious and destroying spirit has gone forth, regardless of every thing but the gratification of malignant feelings, and unworthy aspirations. The causes of this portentous mischief must be found in a great measure in the incompetent and injudicious provisions relative to the office of Chief Magistrate of the Union. A continuance in office but for one term, would diminish if not disarm opposition, and divert the incumbent, from the pursuits of personal ambition, to the acquisition of that fame which rests for its support upon the public good. The mode of choice is also highly exceptionable. Instead of a uniform system, there are various rules, some of which are calculated to secure unanimity in the electoral colleges, and others to diminish the legitimate power, if not to annihilate the real force, of the States. And there is every facility to bring the final determination into the House of Representatives—an ample field for the operation of management and intrigue, and for the production of suspicions and imputations, which ought never to stain the character of our country. Nor are the claims of the national government in derogation of the constitutional authorities of the States, calculated to quiet the agitation of the times, nor to tranquillize

the apprehensions of the community. Although rash innovation ought ever to be discountenanced, yet salutary improvement ought to be unhesitatingly cultivated; and until some adequate preventives and efficacious remedies are engrafted into the Constitution, we must rarely expect a recurrence of the same tranquillity which formerly shed its benign influence over our country."

NOTE.

The following extract from the message of General Jackson, to Congress, on the 8th December, 1829, will serve to show still further, how loosely, even in the opinion of the highest authorities, the frame work of the American Constitution is put together, and how open all its parts are to abuse.

"I consider it," says the President, "one of the most urgent of my duties to bring to your attention the propriety of amending that part of our Constitution which relates to the election of President and Vice-Presidents. Our system of Government was, by its framers, deemed an experi-

ment; and they, therefore, consistently provided a mode of remedying its defects.

"To the people belongs the right of electing their Chief Magistrate; it was never designed that their choice should, in any case, be defeated, either by the intervention of electoral colleges, or by the agency confided, under certain contingencies, to the House of Representatives. Experience proves that, in proportion as agents to execute the will of the people are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore, as the people can with convenience speak, it is safer for them to express their own will.

"The number of aspirants to the Presidency, and the diversity of the interests which may influence their claims, leave little reason to expect a choice in the first instance; and, in that event, the election must devolve on the House of Representatives, where, it is obvious, the will of the people may not be always ascertained, or, if ascertained, may not be regarded. From the mode of voting by States, the choice is to be made by twenty-four votes; and it may often occur, that one of these may be controlled by an individual Representative. Honours and offices are at the disposal of the successful candidate. Repeated ballotings may make

it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward? But even without corruption—supposing the probity of the Representative to be proof against the powerful motives by which he may be assailed—the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another, from a conviction that it is his duty to be governed by his own judgment of the fitness of the candidates; finally, although all were inflexibly honest—all accurately informed of the wishes of their constituents, yet, under the present mode of election, a minority may often elect the President; when this happens, it may reasonably be expected that efforts will be made on the part of the majority to rectify this injurious operation of their institutions. But although no evil of this character should result from such a perversion of the first principle of our system—*that the majority is to govern*—it must be very certain that a President elected by a minority cannot enjoy the confidence necessary to the successful discharge of his duties.

"In this, as in all other matters of public concern, policy requires that as few impediments as possible should exist to the free operation of the

public will. Let us, then, endeavour so to amend our system that the office of Chief Magistrate may not be conferred upon any citizen but in pursuance of a fair expression of the will of the majority.

"I would, therefore, recommend such an amendment of the Constitution as may remove all intermediate agency in the election of President and Vice-President. The mode may be so regulated, as to preserve to each State its present relative weight in the election; and a failure in the first attempt may be provided for, by confining the second to a choice between the two highest candidates. In connexion with such an amendment, it would seem advisable to limit the service of the Chief Magistrate to a single term, of either four or six years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved, would not be proper.

"While Members of Congress can be constitutionally appointed to offices of trust and profit, it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be better qualified to fill than other citizens; but the purity of our Government would, doubtless, be promoted by their

exclusion from all appointments in the gift of the President, in whose election they have been officially concerned. The nature of the judicial office, and the necessity of securing in the Cabinet, and in diplomatic stations of the highest rank, the best talents and political experience, should, perhaps, except these from the exclusion.

" There are perhaps, few men who can, for any great length of time, enjoy office and power without being more or less under the influence of feelings unfavourable to a faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests, and of tolerating conduct from which an unpractised man would revolt. Office is considered as a species of property, and Government rather as a means of promoting individual interests, than as an instrument created solely for the service of the people. Corruption in some, and in others a perversion of correct feelings and principles, divert Government from its legitimate ends, and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or, at least, admit of being made, so plain and simple, that men of intelligence may

readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit, therefore, to your consideration, whether the efficiency of the Government would not be promoted, and official industry and integrity better secured, by a general extension of the law which limits appointments for four years.

"In a country where offices are created solely for the benefit of the people, no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is, therefore, done by removal, since neither appointment to nor continuance in office is a matter of right. The incumbent became an officer with a view to public benefits; and when these require his removal, they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain when a bad officer is substituted for a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed limitations would destroy the idea of property now so generally connected with official station; and although individual distress may

be sometimes produced, it would, by promoting *that rotation which constitutes a leading principle in the Republican creed, give healthful action to the system.*"

CHAPTER XIII.

THERE seems every reason to believe, from internal evidence, as well as from other sources of information, that the framers of the Constitution of the United States intended to establish a Republic, under the management of Representatives; and that they had no intention whatever of establishing what is called a pure Democracy. If, therefore, those Statesmen could now reappear upon earth, they would probably be far from approving of what has already been done; still less of much that is in progress, in their names, and under the professed sanction of their authority. This opinion is grounded upon what appears to be the essential difference between the letter as well as spirit of the Constitution of 1789, and the practice which has grown out of it of late years.

A Republic, as I understand the word in its broadest sense, is that state in which the affairs of government are managed by Representatives chosen from time to time by the people, and who are

intrusted with the power of regulating public matters for the general benefit of the country—a Democracy, that in which the people themselves manage these things, not by true delegation, but in their own proper persons.

As my knowledge of these subjects is derived chiefly from actual observation, in many different parts of the world, very differently governed, experience and reflection will perhaps be the safest ground for me to stand upon, without any attempt to carry these speculations into parts of history with which I am less acquainted, or to support my opinions by the writings of others.

In a very small community, it is just possible to conceive that a pure Democracy might exist, under which the laws and other public affairs might be discussed directly by the whole community assembled for that purpose. But in so large a country as the United States, such a proceeding is absolutely out of the question. The inhabitants of America, however, have gone on, ever since the promulgation of their Republican Constitution, in rendering the form of their government, or at least its practice, more and more democratical; till at length, as I conceive, nearly every trace of the genuine Republican spirit is merged in that of as pure a Democracy as can possibly exist.

By the spirit of Republicanism I mean that

thorough representative character which, while it refers the choice of public men to the people, from time to time, really intrusts the details of management to the persons chosen for this express purpose. It supposes, indeed, the full responsibility of the Representative to the constituent; but as a necessary preliminary, presumes him to be a free agent, and accordingly makes the delegation of authority complete. In order, however, to render this important responsibility effective, or even just, the Representative must have the means of acquiring a thorough knowledge of his business, otherwise it is a mockery to hold him accountable for not executing duties he can never have learnt to perform. Still further, to fix this independent but not irresponsible character upon him—terms which involve no contradiction—he ought to be removed to a considerable distance from the influence of those transitory impulses which, all experience tells us, are apt to mislead both the wishes and the opinions of the multitude. In other words, the tenure of his office should not depend upon so slender a thread that it may be broken, like a cobweb, by every casual flaw of popular sentiment. A Representative, to be really useful to his country, should have a sufficiently long probation, to show, not by any one speech or act during a Session or two, but by a varied course of unshackled service,

that he has the good of the people at heart, and to prove that, in the long run, when his actions and opinions are taken in the aggregate, he is a person qualified by his knowledge of public affairs, and by his personal disinterestedness and ability, to manage the intricate machinery intrusted to his care. All these conditions are compatible with the strictest responsibility; and the more completely the Representative is left to act for himself, the more equitable is the exercise of a severe scrutiny on the part of his constituents.

Such a system is evidently calculated to produce the best effects, by bringing the highest talents and knowledge, as well as the most virtuous motives, into conspicuous action. It also leaves the fullest degree of vigilance still open to the constituents, while it is not calculated to beget distrust, that bane of all good service. Indeed, it may be assumed as a position from which there is hardly any exception in practice, that where there is no confidence, there will never be any good work done, public or private. For distrust and jealousy in official, as well as in domestic matters, being almost always reciprocal, the most infallible method of expelling every generous mind from any service, is to show that no reliance is placed upon its integrity.

At the same time there must, and ought unquestionably to be, in every case, a certain amount of

watchfulness, in connexion with an adequate degree of power on the part of the constituents, to make their disapprobation felt by the Representative, should his general conduct, after a sufficiently protracted trial, not meet their views of his duty. Otherwise, there can be no doubt, the true republican, or representative spirit alluded to, would speedily evaporate and leave nothing but despotism behind. For as the absence of confidence will always repel, instead of attracting, the most efficient men, and at the same time bring much incompetence into play, anarchy may chance to ensue;—which is merely a despotism of another sort. There will be found, invariably I suspect, in political matters, what the mathematicians, in speaking of a peculiar description of curve, call a point of contrary flexure; and the highest art of a practical statesman should be, to discover that medium station which shall be common to both, but incline too much to neither—where the adequate amount of confidence on one side shall be duly balanced by watchfulness on the other.

The enquiry then reduces itself to this: have the Americans hit that point, or have they not? I think they have not. This opinion has been forced upon me in spite of the most earnest desire to persuade myself of the contrary, and after listening with patient and anxious attention to the rea-

sonings of the Americans themselves, who, it is hardly necessary to say, hold such an idea as not only visionary, but altogether at variance with the existing state of the facts.

Before proceeding further with these, however, or with the reasonings which flow from them, it may be useful to consider an argument connected with this subject, which is so much dwelt upon in that country, that it cannot well be passed by, though the discussion may appear somewhat trite and commonplace in England. In America, it is laid down as a self-evident truth, that the possession of power, under any circumstances, though it may improve the intellectual capacity, has the necessary effect of deteriorating the moral qualities of the possessor.

If the question relate to despotic, or what we may call irresponsible power, the maxim is probably correct. But I conceive the effects which spring from the possession of authority, in a free country, where it is duly watched, are very different. It is agreed on all hands, that the exercise of power will undoubtedly sharpen those faculties of the mind which it calls into play; but I conceive it will have a still higher effect, even in this way, when exerted in a consistent, straight-forward, business-like manner, instead of being tossed about by the waves of passion and selfish caprice.

If men in power be placed under a strict scrutiny, whatever be their talents, or whatever their motives, they will soon find out, or, at all events, will in the long run come to learn, that no line of conduct, under all circumstances, will be able to stand the wear and tear of public life, but that of integrity. The longer the period be, over which their experience is allowed to extend, the more they will be satisfied, that a virtuous course is the safest to steer through the storms of so boisterous a region, while it is evidently the most likely one to gain the substantial favour of the public.

Violent or interested measures may, for a time, carry all before them; but if the men in power be responsible agents, and if the country be so administered that, from time to time, this liability to a public reckoning is made apparent, it is quite clear, that a high stimulus is given to the practice of virtue, and if so, there seems to be no reason in the nature of the human constitution, why the moral faculties should not improve by exercise, as well as the intellectual.

I suspect, after all, that the two must, in most cases, go hand in hand; and that one cannot improve materially without the other; by which, I mean, that while any great improvement in the mind, under a course of vicious indulgence in selfish or in dishonest practices of any kind, is

hardly to be expected in any country, that system—no matter where it exists—which has the greatest tendency to cultivate the intellectual powers of public men, will be found the best calculated to improve their moral worth likewise.

I grant, freely, that the instant the superintending check of inevitable responsibility is removed, the tendency to abuse power begins at once to show itself. But I conceive that no check at all, or rather the contrary, is afforded by that universal jealousy, the operation of which I am labouring to describe; still less by that endless round of changes in public men, which is denominated, in the expressive language of America, the 'Rotation of Office,'—a wheel in their political machinery, by the revolutions of which every man comes in turn to be uppermost, and straightway goes down again. The Americans themselves generally admit, that their system is adverse to the formation of men of commanding talents; but they always add, that in the present state of affairs, they do better without what we call leading men. "When, however, moments of danger and difficulty shall arrive," say they, "the general intelligence which is spread over our country will ensure us leaders enough for all possible exigencies of the State." A position which strikes me as being about as sound as it would be to assert that a ship, officered and

manned by intelligent persons not bred to the sea, would be well handled in a gale of wind, because the crew displayed no ignorance of seamanship in a calm.

Many Americans with whom I have conversed, allow that a period may arrive when the country shall be filled up to a dangerous pitch; but this they consider a very remote event, and always take their stand, in the interim, upon the excellence of the present state of things, which they hold up as the wisest in theory, and the most efficient in practice, that the world has ever yet beheld.

My friends across the water will, I am sure, remember that I never shrunk from meeting them on this ground; and as nothing I have heard since, has shaken the opinions I there expressed, I trust they will now receive this more formal exposition of my views, with the same frank and manly good-humour, which I felt as the highest compliment to my sincerity, and the most friendly encouragement that could possibly be offered to a stranger wishing to investigate the truth. Had it been otherwise—or had any ill-temper slipped out on these occasions—my researches must have been cut short, or have been limited very much to what I saw, while the results of my investigations must have taken that character of prejudice, to which strangers are said to be so prone. As it was, I

at least enjoyed the advantage of discussing all these topics, again and again, with the persons best qualified, as far as I could discover, to do them justice; and in the course of those conversations I had often the advantage of finding that I was in error, before the means of rectification were at a distance. Of course, I do not expect that my opinions in print shall have more weight than they carried in conversation; but I shall be well pleased, should they ever find their way to America, to think that they are received with equal forbearance. At all events, I have here written my opinions, so far as lies in my power, in the spirit which the people whom they concern so often assured me, was the best road to the esteem, if not to the concurrence, of the judicious amongst their countrymen; and with this general declaration, which, like many others, must take its chance for credit amongst the persons who will recollect my allusions, I proceed to justify these views, as well as I can, by further details.

It will not be denied out of America, that the most important object of a properly regulated representative system, or that which is likely to be most serviceable to the nation, is to bring the ablest men in the country into public life, and having brought them there, to maintain, or fix them in

the management of affairs, as long as their conduct shall be found deserving of confidence.

The practical operation of a democracy, however, is the very reverse of this. It neither brings the most qualified men into power, nor retains them long, when by any accident they chance to rise so high as to engage the public attention. While a correct representative form of government, therefore, offers the highest premium to the growth and permanent exercise of those talents which are useful in the public service; a democracy, for reasons which I shall endeavour to explain, appears, in practice, to have a direct tendency to lower the standard of talents, of knowledge, and of public spirit, besides putting public virtue in great danger.

The common-place rule of supply and demand, is in no case more strictly observed than in this. If there be no steady motive for the production of talents and knowledge for the public service, that is to say, if there be no permanent demand for first-rate men in the management of affairs, there will be no great supply. I do not say, that there will be no men of abilities in public life, but that there will be no recognised class of such men, well known to the country over which they are dispersed, and from whose numbers the public servants may at any time be selected. Men of superior attain-

ments and powers will, of course, in every country, even in a democracy, gain some ascendency if they choose to come forward. But exactly in proportion to the rarity of such qualifications, will be the power and the will to abuse such influence; because, where the class to choose from is limited, the control of public opinion, according to the simplest axioms of the doctrine of competition, will always be least effectual, and consequently both the power and the will to do wrong least effectually restrained.

The whole value of this argument turns upon the supposition that the science of government—Legislative as well as Executive—is one of the most difficult—certainly the most complicated of all branches of human knowledge. With persons who deny this position, who see no difficulty in the matter, I have little to say; and yet, so it happens, these will form probably a numerical majority in every country. The really intelligent portion of the American community see and feel, and sometimes acknowledge, the truth of this position. "If," says an eloquent American writer, "if, as is unquestionable, among all the intellectual pursuits, the master science is that of government, in the hierarchy of human nature, the first place must be conceded to those gifted spirits, who, after devoting their youth to liberal studies, are attracted to the

public service, and attain its highest honours, shedding over its course the light of that pure, moral, and intellectual cultivation, which at once illustrates them, and adorns their country."*

A political maniac some years ago suggested, that a committee of several hundred persons should disperse themselves over England, and poll each individual man in the country, as to his opinions and wishes on the subject of Parliamentary Reform. Had this idea been acted upon, the chances are, that a great numerical majority of the whole population would have decided for a change, more or less radical; and this result would have been considered, in America, a perfectly rational and proper way of getting at the general sense of the nation.

Let us suppose, however, that instead of Parliamentary Reform being made the object of this enquiry, the canvassers in question had been instructed to ask every man in the kingdom his opinion upon the best kind of Escapement in the machinery of a chronometer? or which was the most accurate way of placing a Transit instrument in the Meridian? or how a stranded ship should be got off a reef of rocks?—can there be the least doubt that the itinerant investigators would have been laughed at,

* Eulogium on Jefferson by Mr N. Biddle, p. 43.

from end to end of the kingdom? Would they not have been told to go and consult the watchmakers, the astronomers, or the seafaring men, who had served long and arduous apprenticeships to their several professions, and without which study no man could be supposed to understand a word of these intricate matters? Not one person in a thousand would probably know what an Escapement was, or what was the use of a Transit instrument; still less would they feel competent to give any opinion as to the best mode of turning them to practical account. Yet these very same men would pronounce, with the utmost confidence, on a point, to say the least of it, more complicated than the nicest piece of clock-work that ever kept true time!

If asked, as I have been very often in America, whether I would wish to exclude the people from all share in the administration of public affairs, I reply, "Certainly exclude all such direct interference of the uninformed multitude—much misealled the People—as I have alluded to in the above figurative illustration." For I conscientiously believe, that persons who take this line of argument, will be found in the end by far the truest friends of the people, even taken in the American sense of that abused word, who, in this, and every other case, I am certain, lose much more than they can

ever gain, by direct interference with matters beyond their knowledge. Public opinion—that is to say, the real sentiments and wishes of the reflecting part of the nation—cannot be got at by mere numerical balloting, or any other method of individual voting at a particular instant of time. At all events, one thing is quite clear,—it is not in this way that a knowledge of men's views on any other question which involves their interests is ever obtained; how, therefore, can it be expected to prove efficacious on this solitary occasion? Public opinion, in such a country as England, is not made up of the sentiments of the numerical mass, but of the aggregate opinions of all those persons who, whatever be their rank in society, habitually exert an influence over their inferiors in station, in knowledge, or in talents. These form what in England are generally considered the People; and it seems a complete perversion of the meaning of words, in speaking of political matters, to include in the definition of public opinion, the crude ideas of persons whose knowledge is confined to the objects of mere manual labour.

The lowest and most numerous orders in England cheerfully and wisely submit, in these respects, to those immediately above them, who are somewhat more fortunately circumstanced, and who, from enjoying that casual, but not invidious

advantage, have leisure to acquire knowledge, or power, call it what you will, by which those about them and below them are willing to be influenced. These again, in the very same manner,—without the slightest diminution of true freedom,—are under the influence of a still higher class, whose means are proportionably greater; and so on, through a hundred gradations, many of them almost insensible, to the top of the scale. The honest but necessarily unreflecting opinions of the most numerous class are in this way by no means disregarded, but are gradually sifted, as it were, through a variety of different courses of examination, by persons possessed both of abilities, and experience, beyond the attainment of men who, whatever be their capacity, have no means to investigate such subjects. At the last, after the rude material of public sentiment, well strained and purified, has found its way to the hands of the master workmen in a condition fit to be wrought to the purposes of life, it is returned to the country in a thousand useful forms of national prosperity, not one of which it could ever have attained, had it been left to the direct management of those numerous classes, whose happiness it is mainly destined to influence.

It were to invert the whole of this process, to imagine that the science of government lies within

the capacity of the labourers of the soil, or that the mere wish to govern well shall qualify persons habitually engaged in any of the ordinary walks of life, to exercise the loftiest functions that have ever yet awakened the genius of man—the regulation of the lives and fortunes of millions of human beings!

Surely the knowledge of an art of such infinite importance cannot be intuitive, when every other with which we have any acquaintance, even to the cobbling of shoes, requires years of careful application? And yet, strange as it may appear, these are not ideal shadows which I am fighting against —not long ago exploded fallacies—but the grave, received doctrines, universally acted upon in the country I have just left—where the position that every man understands what is best for his own good, and that of his neighbour, in the administration of public affairs, is not only held to be no paradox, but, on the contrary, is considered a self-evident truth—the main-spring of their freedom and happiness—the pole star of all their political navigation, and the sure reliance of their permanent glory as a nation!

It is not very difficult to show, that in a democracy, men of high attainments or talents can never be encouraged as a body, while individuals thus gifted by nature or by study, will stand rather

a worse chance than their neighbours of being placed in stations of public trust. It is natural that persons who are ignorant of any subject, but who, nevertheless, imagine they fully understand it, should be more willing to place confidence in men of their own class, on the same level with them in attainments, and with whom they can sympathize, than in others, whose knowledge they do not possess, whose talents they have no means of appreciating, and whose ways of thinking on political subjects, of which they conceive themselves to be complete masters, are entirely different from their own. Such feelings of distrust, as I have before observed, will almost always be reciprocal; and, therefore, a man of abilities, possessed of real knowledge, and experience in public business, or who, even without such experience, believes that he possesses talents which, if exerted, would do justice to a high station, will consider his time mispent in the service of people who cannot be made to feel that he has any claims to superior capacity. Unless he be made of very stern materials, he will soon cease to court a publicity which can lead to nothing but speedy dismissal, under the dictation of constituents, who are sure to fancy they know more of the matter than he does, and who, from holding the doctrine that no man ought to be trusted, will, for obvious

reasons, be least inclined to repose confidence in him who has most talents.

A perfectly pure democracy, according to the usual definition, cannot, of course, exist in a large community, spread over a wide country; for by no conceivable means could such multitudes be brought together for the purpose of discussing public affairs. The Americans, however, by several ingenious devices, have arrived, it must be owned, as near the point aimed at as the nature of things will admit of. In booksellers' phrase, their work might be called, "The Science of Government reduced to the lowest capacity, or every man his own Legislator."

The contrivances by means of which this object, so eagerly sought after in America, has been nearly attained in practice, are Annual Parliaments, Universal Suffrage, and what is termed Rotation in office. The framers of the Constitution evidently intended to establish a representative system, in which the most experienced and fittest men in all respects, should not only be selected to administer the public affairs, but be left to do so in their own way. It is barely possible to conceive, that under a republican form of government,—if the periods of service were made long, the elections transitory, and the population small,—there might grow up a race of public servants, whose

chief duty and pleasure it should be to acquire a knowledge of their particular business, and by pursuing it as a profession, acquire proficiency therein. These men might eventually obtain, by the force of knowledge and personal merits alone, the permanent confidence of their constituents. But it is useless to speculate upon what might be done in such an imaginary Republic—a Utopia which never existed. My object is rather to show what has been done, and what is actually doing at this hour, in America.

Since, in all the twenty-four States forming the Union, the members of the most numerous and influential legislative House are elected for one year only, it seems nearly out of the question that, with so short a period of service, the members can feel themselves independent of their constituents; neither is it intended that they should so feel. The moment of re-election is always close at hand; and if the members fail to conform strictly to the wishes of the electors, they are ousted as a matter of course. Even if they do attend to these wishes at one moment, the chances are, that if they hope to continue in favour they must take an opposite part before the session is out,—inasmuch as the popular opinion shifts about as often, and sometimes more swiftly than the wind, with no more visible cause! The most sagacious manager that

ever lived, therefore, could not regulate his conduct under a system such as this, so as to please a mass of people who, let them or their admirers say what they please, must of absolute necessity be ignorant of most of the subjects brought before them for their consideration.

Accordingly, we do find that no great number of members are allowed to remain longer at their public post than one term; for at the end of each year, a large proportion of new legislators always come in, 'fresh from the people,' more full of confidence, probably, in their own wisdom, than well grounded in what has been done by their predecessors; and not very profoundly versed, it may be reasonably supposed, in the general science of government.

The legislature of New York consists of 160 members, including the Senate and House of Assembly. In the year 1823, only 15 members of the legislature of 1822 were re-elected, and 145 out of the whole 160 were new, or about nine-tenths.

In 1824, only 37 members who sat in 1823 were re-elected, and 123 were new, or eight-tenths.

In 1825, 34 were re-elected from 1824, and 126 were new, or about eight-tenths, as before.

These numbers are taken from the lists given in vol. II., pages 602 to 605, of the laws relating to

the canals of New York, printed by authority of that State in 1825.

From the same, and other official sources of information, the following table has been drawn up, to show how long the members of the legislature of New York, in 1827, had held seats in one or other of the houses :—

Total number, 160.

Of these, 1 member had sat for 11 years.

1	. . .	9
1	. . .	8
1	. . .	7
2	. . .	5
5	. . .	4
10	. . .	3
12	. . .	2
30	. . .	1

97 were new members.

Thus, nearly $\frac{5}{7}$ of the whole were new; $\frac{3}{8}$ had sat from 4 to 1 years; and $\frac{1}{2}\frac{1}{7}$ had sat from 11 to 5 years. The average time of the old members sitting is $2\frac{1}{3}$ years nearly. The new members are to the old as 3 to 2.

CHAPTER XIV.

EVERY Legislator in America in Congress, as well as in the different States, receives, for his trouble during the Session, a certain daily pecuniary compensation. This, it will be observed, gives a distinctive feature to these bodies, and, coupled with another very important circumstance, almost completes the democratical character. The members are returned to the legislature, not merely to represent the particular spot for which they are chosen, but they are absolutely required by law to have been residents on it for a certain stated period previous to the election. Neither can they be elected for any other place. This regulation is one of the most destructive that can well be conceived of true independence, as it forces men to consider local, not general objects. The Representatives, although not bound by law to do so, invariably consider the interests of their

constituents as the paramount object. If any man, therefore, be public-spirited enough to oppose those interests, in consideration of the general good, his dismissal follows quite as a matter of course, at the ensuing election; which, it will be recollected, is always close at hand. Thus, the doctrine that the will of the constituents is to guide the conduct of persons sent to the legislature, is almost universally acted upon. Consequently, these Representatives are, in strictness, neither more nor less than mere agents, engaged to do the will of their respective constituents, for such short periods of service as may best tend to establish and keep alive that unbounded want of confidence which avowedly pervades the whole system, and is, according to the American doctrine, the truest antidote to the corrupt selfishness which, they say, poisons every man's political nature.

There is another consideration, tending the same way, which it is impossible to overlook. When a member is certain, or next to certain, do what he may, that he is not to remain beyond one year in the legislature, he will be irresistibly impelled, unless human nature is different on different sides of the Atlantic, to make the most of his brief authority to serve his own particular purposes; or, which is nearly the same thing in practice, to serve those of the persons amongst whom he is again to

mix, and whose wishes, however narrow, it is evidently more his interest to meet, than those of the community at large. Thus the public service must become a secondary consideration, under any view of the case.

It is needless to enlarge upon the absence of true freedom, involved in thus limiting what may be called the Representative Franchise to a particular spot, and that spot the very one where, from the nature of society, independence of political character is least likely to be found, or, if found, least likely to be valued by the constituents. If the country at large is open to men of talents and genuine public spirit, those prime qualities in a statesman will be sure to be appreciated somewhere; but nothing seems more probable than the unpopularity of such men in their own narrow circle. It seems, indeed, very idle to talk of universal suffrage, and yet to circumscribe the limits beyond which no candidate shall be eligible. There is a double drawback here on liberty. The electors cannot choose any man they wish, and the candidate cannot solicit the suffrage of any but one set of constituents.

In Congress the members are chosen for a period twice as long as that of the State legislatures, or for two years; but even this is much too short a time to enable any man to acquire an adequate

knowledge of public business, or to establish a character which shall gain the permanent confidence of his constituents. There are, indeed, some men in public life in America whose talents are of such an order, and whose general tenour of conduct is so popular, that they have contrived to hold on somewhat longer than their companions. It would, indeed, be monstrous to suppose, that out of such numbers there should not be found many men above suspicion, even where the rule is to suspect every body.

The following table shows how long the members of the House of Representatives in Congress for 1827-28, had held seats in the House. The total number being 213.

Of these 1 member had sat for 27 years.

1	17
1	15
1	13
1	12
3	11
1	10
5	9
2	8
17	7
4	6
34	5
4	4

48	.	.	.	3
3	.	.	.	2

And 87 were new members.

Thus $\frac{5}{12}$ nearly, or between a half and a third, were new; $\frac{5}{12}$ nearly, had sat for from 5 to 2 years; $\frac{1}{7}$ nearly, had sat from 10 to 6 years; and $\frac{1}{27}$ from 27 to 11 years. The average time of the old members sitting was about $5\frac{1}{2}$ years, and the new members were to the old as 2 to 3 nearly.

The number of Representatives and Delegates to the Congress of the United States, from the commencement of the present government in 1789, to 1827, a period of 38 years, was 1464; and the average time of each member sitting was 3 years and 8 months and a half. *

I shall insert here, as a matter of curious comparison, a Table similar in its nature to the above, showing how long the members of the British House of Commons of the same session, that of 1827-28, had sat in the legislature.

Total number in the House of Commons 658.

Of these 134 had sat upwards of 20 years.

3	.	.	.	19
7	.	.	.	18
6	.	.	.	17

* Deduced from the tables in the National Calendar, published at Washington in 1828.

5	. . .	16
4	. . .	15
32	. . .	14
18	. . .	13
15	. . .	12
6	. . .	11
21	. . .	10
20	. . .	9
64	. . .	8
19	. . .	7
55	. . .	6
20	. . .	5
17	. . .	4
14	. . .	3
22	. . .	2
10	. . .	1

And 166 were new members.

Thus nearly $\frac{1}{4}$ of the whole were new members; $\frac{1}{3}$ nearly had sat from 6 to 1 years; $\frac{6}{20}$, or between $\frac{1}{3}$ and $\frac{1}{4}$, had sat from 14 to 7 years; $\frac{1}{20}$ from 19 to 15 years; and $\frac{1}{5}$ of the whole number for 20 years and upwards. The average time of the old members sitting is about $11\frac{1}{2}$ years, on the supposition that the 134 members at the top of the preceding list had sat only 20 years; but as many of them had been in Parliament for upwards of 30 years, the average period must be considerably

greater. The new members were to the old as 1 to 3.

The average duration of the 17 Parliaments, which sat from the Revolution in 1688, to the accession of George III. in 1761, is 4 years and about one week. That of the 12 Parliaments which sat during the 59 years of George III.'s reign, was 4 years and one month.*

I have often been told, that the Representatives to Congress, and to the State legislatures, are not actually instructed how to speak and vote; but in spite of this, they know perfectly well that unless they manage to discover and conform to the wishes of their constituents, right or wrong, they will be put out in a very short time. This, if I mistake not, is bringing matters as near to pure democracy as can be,—a conclusion to which, I am confident, the numerical majority of the American nation would say—Amen! Those, however, who are not quite so much in love with that system, come in at this stage of the argument and say, "All this has some truth and force in it as applied to the most numerous branch of the legislature; but look at the Senate, especially the Senate of the United States; observe the beautiful check which the constitution of that

* Royal Calendar for 1827.

august body affords to the over-popular character of the other House, if such it be."

It was originally intended, most undoubtedly, that the Senators in Congress should be less dependent upon the mass of the people than the members of the House of Representatives are. This object, it was supposed, might be accomplished, first, by the longer period of their service—six years instead of two; and next, by the circumstance of their being chosen by the State legislatures, and not directly, like the members of the other House, by the people at large. In practice, however—deny it who may as a matter of political speculation—the Senate of the United States is, necessarily, and to all practical intents and purposes, as little independent of the people as the other House.

It must always be recollected, in considering this branch of the subject, that the whole Senate is not chosen, as a body, for six years, though each of its members be elected for that length of time. At every second year, one-third of the whole number of Senators go back to their constituents, by whom they may or may not be re-elected. It follows, therefore, as a necessary consequence, that no common system of permanent policy can be adopted by the Senate, any more than it can by the other House, since the introduction of so large a body of members as one-third, 'fresh from the people,'

every second year, must inevitably disturb any continuous course of action, provided that course, however judicious, be contrary to the sentiments of the population, taken numerically, at that particular moment.

In the Senate of the United States, for the year 1827-28, the periods of each member sitting were as follows:—Total number, 48.

Of these, 2 members had sat for 13 years,

3	. . .	11
1	. . .	10
2	. . .	9
1	. . .	8
6	. . .	7
1	. . .	6
3	. . .	5
4	. . .	4
11	. . .	3
4	. . .	2
1	. . .	1

And 9 were new members.

So that one-fifth were new, and the average period of the old members sitting was five years and six months and a half.

The number of Senators in the Congress of the United States, from the commencement of the present government in 1789 to 1827, a period of 38 years, was 317. The average time of sitting of

each Senator was four years three months and two weeks.*

This popular character of the Senate is the inevitable consequence of the nature of their constituents, the State legislatures, which are themselves chosen annually by universal suffrage. And thus the senators to Congress, though not quite directly, are yet quite strictly, Representatives of the popular voice, which happens to prevail at the time of nominating those bodies by whom the senators are chosen. Every second year, therefore, one-third part, or 16 out of the 48 senators, come into Congress in a line almost as immediately from the people as that which brings the Representatives. The genuine spirit of the Constitution undoubtedly is, that these senators shall be Representatives of the States in their sovereign capacity. And so in truth they are; yet the sceptre is not wielded by the hands of the legislature, but by those of the people at large.

In order still further to destroy the obvious intention of the Constitution, of making the Senate independent, their constituents, the State legislatures, whenever they please, exercise the right of instructing their senators how to act in Congress. It signifies little to say, that no such power of in-

* Deduced from the tables in the National Calendar, published at Washington in 1828.

structing the senators is to be found in the letter of the Constitution, or that high legal authorities dispute the propriety of such interference.* That the State legislatures do actually exercise this authority, I know by innumerable examples.

It is often said, in answer to these positions, that this very questionable power is not much exercised, and that it cannot be enforced. But this argument proves nothing, or rather it proves too much, as it shows the complete subserviency of the body in question to the fluctuating wishes of the mass of the people. There is, therefore, seldom any occasion for such instructions, in consequence of the people's wishes being anticipated; but this power of dictation is exercised upon important occasions, as I have myself witnessed.

Every thing that has now been said, is strictly consonant to the general spirit of the American Constitution, as interpreted by the majority of persons whom it concerns. And I feel pretty sure that in thus demonstrating the direct practical ascendency of the people over their legislators in Congress, as well as in the States, my reasonings will be found, for once, in strict conformity with the views and feelings of the mass of the nation—numerically considered.

* Rawle on the Constitution. Chap. III. p. 34.

In America, every public man may be said to live upon popularity; and I have often heard it asserted, both by friends and by foes of the present system—by the one set with complacency, by the other with sorrow—that no person who ventures to oppose himself for one instant to the current of popular sentiment, has much chance of success. No one, indeed, of any party in that country, can escape very rough handling, unless he prefers retiring, as many able men are forced to do, into absolute seclusion; or into those private walks of life where their talents have a better chance of fair play, than they can have when exposed to the stormy ocean of politics.

"The tendency and the danger of other governments," says an accomplished and eloquent American writer, "is subserviency to courts; that of ours is submission to popular excitement, which statesmen should often rather repress than obey. Undoubtedly the public counsels should reflect the public sentiment; but that mirror may be dimmed by being too closely breathed upon, nor can all the other qualities of a public man ever supply the want of personal independence. It is that fatal want which renders so many ostensible leaders, in fact, only followers, which makes so many who might have been statesmen, degenerate into politicians, and tends to people the country with the

slaves and the victims of that mysterious fascination, the love of popularity."*

I shall have frequent opportunities of showing as I go along, how the same causes operate, with a force absolutely irresistible, in every other department of the American body politic. Democracy, in short, when once let loose, is exactly like any other inundation—it is sure to find its level,—and whatever it cannot reach, it undermines and finally subverts.

In this rapid sketch of the American system of government, I have merely glanced at the more important branches of the subject; and, in so doing, have endeavoured to indulge as little as possible in theories or speculations not absolutely necessary for the purpose of illustration. At all events, the materials are drawn from my own observation alone. In the same spirit, it might perhaps be interesting to advert to the effects of democracy in other walks of life besides those of a public nature; since I daresay it will occur to many persons, to ask how such a system of things can go on at all, or how it happens that the whole frame-work of society is not torn to pieces in a very short time, as it was recently in France, and most undoubtedly would be in England, under a

* Eulogium on Jefferson, by Mr N. Biddle, p. 47.

similar form of government. To this the answer is quite simple. The Americans retain a great share of the knowledge, with which they started in this grand political race,—they never knew what oppression was,—they have still plenty of room,—they have abundant stores of food,—they have no neighbours to interfere with them,—and they studiously avoid entangling themselves with the distracting affairs of the old world. Were any one of these circumstances in their history materially changed, the present state of things might possibly not subsist so long as some of its fond admirers anticipate.

One of the effects of democracy, both in public and private life—for these must of necessity be much interwoven—is, unquestionably, to lower the standard of intellectual attainments, and also, by diminishing the demand for refinement of all kinds, to lessen the supply. Accordingly, there is absolutely no such thing in America, at least that I could hear of, as men who are looked up to. Whenever I asked who were their great men—their high authorities,—reference was invariably made back to the statesmen of the Revolution—to Washington, Franklin, Jefferson, Patrick Henry. It was very nearly the same in literature—in science—and, with one brilliant exception, Allston, in the arts likewise.

I am far from saying, that there are no able statesmen, or profound authors, or men of general knowledge in that country; but the number, considering the population, is certainly limited. I have great pleasure in the acquaintance—I hope I may add the friendship—of many gentlemen in America of scientific attainments, or possessed of knowledge in all the different departments of information alluded to; and I well know how much honour they would do to the correspondent classes in any country in the world. But these distinguished persons are quite aware how insulated they are—how feeble the present tendency of things is to improve—and how little sympathy, in short, they receive from their countrymen; and I am sure they cannot but look with bitter though unavailing regret to the gradual changes which are taking place in manners, and in all those valuable refinements of life, which the rest of civilized mankind deem essential, not only to the cultivation of true knowledge, but almost equally so to the purification of public and private virtue.

I was often told, when I took the liberty of stating some of these things in conversation, that due allowance was not made for the country; but whenever they were taken at their word, it generally appeared that allowances were more willingly made than the company were disposed to receive con-

cessions. It could not be denied, indeed, that under the circumstances which exist at present in America, it would be the most unreasonable thing imaginable to expect the arts and sciences to flourish, or that great excellence could possibly be reached in any walk of industry, public or political life inclusive; still less, that those graceful embellishments to society which belong to old and densely peopled countries alone, should as yet be found amongst them.

In America, it must be recollected, almost every man is occupied in making money, while few are engaged exclusively in spending it. Out of these peculiarities spring several conclusions interesting in themselves, and perhaps worth attending to as useful in elucidating some circumstances in the condition of their society, which might otherwise appear anomalous. I may farther observe, that all the money in America, or nearly all, is in the hands of persons who have actually made it. But as the habit of making money, and the habit of spending it, are directly opposed to each other, the proper moment for spending it is apt to be deferred till too late. It will be admitted, I think, after a moment's pause, that the art of spending money well may be considered, upon the whole, a more difficult one than the art of making it; I mean, of course, the art of spending it like a gentleman.

In the one case, industry, frugality, and the average run of abilities, will, at least in that country, insure to every man a competence; while talents somewhat higher than the average, or extraordinary diligence, aided by that prompt vigilance which is ready to profit by every turn of the wheel, and is called Fortune, is sure to command much more than a competence,—often wealth. Accordingly, we do see considerable sums of money amassed in all parts of America, by persons answering this description.

It is not so clear, however, by any means, that the same attributes which taught their possessor to accumulate riches, will enable him to invert the process, and teach him how to dispose of his gains, or any great proportion of them, in the most proper manner. The reason will appear plain enough when stated; for even admitting the persons in question to have all the desire in the world to act properly in this respect, the practical difficulty which men who become wealthy have to encounter in America, is the total absence of a permanent money-spending class in the society, ready not only to sympathize with them, but to serve as models, in this difficult art.

The law of primogeniture was abolished long ago; and though there be at present no positive legislative enactment against as definite a disposal

of property by descent, as in England, the general feeling of the American community is so decidedly hostile to any such settlements, that, in practice, they are rarely if ever attempted. The property of the parent, therefore, is generally divided equally amongst the children. This division, as may be supposed, seldom gives to each sufficient means to enable him to live independently of business; and, consequently, the same course of money-making habits which belonged to the parent necessarily descends to the son. Or, supposing there be only one who succeeds to the fortune, in what way is he to spend it? Where, when, and with whom? How is he to find companionship? How expect sympathy from the great mass of all the people he mixes amongst, whose habits and tastes lie in totally different directions?

When this language is held in America, though the facts are too obvious to be denied, it is asked how it happens that the same thing does not occur with the money-making classes in England? The ready answer is, that the attendant circumstances are sufficiently different to prevent like consequences. A merchant, or any other professed man of business, in England, has always before his eyes a large and permanent money-spending class to adjust his habits by. He is also, to a certain extent, in the way of communicating familiarly

with those who, having derived their riches by inheritance, are exempted from all that personal experience in the science of accumulation, which has a tendency to augment the difficulty of spending money well. Sometimes this acquaintance with the aristocracy—whether it be of wealth or of rank—arises from circumstances of birth, more frequently from alliance, and still oftener from talents, or knowledge, or from some of those incidents which the intermixture of all classes in England, in spite of their marked distinctions, perpetually gives rise to. At all events, while he goes on acquiring property, the man of business learns almost as well, though more gradually and insensibly, how to spend his money, as if he had actually been born and bred in one of those classes whose peculiar province it is to distribute, not to accumulate, the riches of the country. At length, when he thinks he has made enough to entitle him to retire from his labours, he at once enters the permanently wealthy ranks, amongst whose members he is always sure of finding sympathy and companionship, whatever be his tastes or his future views.

Any such accumulation and distribution of property, however, in America, is abhorrent to the feelings of the inhabitants; and, of course, Entails, unequal divisions, or every thing like primogeni-

ture, are not to be dreamt of. They will scarcely allow the words to be whispered in conversation;—one might as well speak of a coronet, or a close borough, or any other abomination! I remember hearing, when I was in Virginia, of a gentleman whose elder sons had displeased him so much, that he left all his fortune to the youngest. The public, however, were so universally scandalized at this act of injustice, as it was termed,—though the father had earned all the money himself,—that the heir, after a year or two of miserable badgering, was compelled, for the sake of a quiet life, to divide his property amongst his disinherited brethren.

It is by no means difficult to point out whence all this springs. It is the legitimate offspring of those levelling or equalising principles already discussed. In all countries, it may be observed, the great mass of the people are without disposable property, and live, as it is well called, from hand to mouth. This is decidedly the case in America; for, though it be easy for a man to keep himself and his family alive by bodily labour, the great majority of the whole population possess little more than enough for that purpose. Generally speaking, very few persons amongst them have any spare property, or surplus revenue; they have no fortune, in short, which requires care and ingenuity to dispose of for purposes beyond the immediate

wants of life. When, therefore, the democratical principle is fully established in a society so constituted, and all the elections are brought under the absolute control of the people at large, the legislatures chosen by them must, as a matter of course, be made up chiefly of persons almost without fortune.

This singular state of the representation does not strike so directly at the administration of criminal justice as might at first be supposed, because the legislators, generally speaking, are strongly interested, for their own sakes, in maintaining that branch of power inviolate. But all the multifarious and changing laws, which regulate the distribution of property, being framed by persons who have little or none to dispose of belonging to themselves, they are invariably aimed, more or less directly, at its subdivision. In this way, any considerable accumulation is not only prevented, but when it does happen to be gathered together, it is soon broken up by the resistless agency of this levelling propensity.

I was most anxious at all times during the journey to converse with intelligent persons, whose experience qualified them to assist my researches on these curious topics. The government and country, some of these gentlemen assured me, had not always been in the state in which I saw them, but

had gone on, becoming daily more and more democratic in their form, as well as in their substance. Almost every article and clause in the Constitution which suited that grand end, was now differently construed from what had been originally understood to be its meaning, and always with the direct and avowed purpose of strengthening the hands of the people at large, considered numerically, and at the same time of weakening the authority of the executive. The same course, I was told, had been run in the separate States as in the general government.

In every part of the country, the elective franchise has been gradually extended, till it is now universal, I believe, in every State but one, Virginia; and I observe that conventions have been called to consider this subject, which will probably bring that State into the vortex likewise. In proportion as the legislatures of the States have acquired the democratical character, their favourite object has been to annihilate as much as possible every thing like vigour or efficiency in the executive, and not to allow any governor, secretary of state, or other public functionary, to have one whit more power than is indispensably necessary for merely carrying forward the daily work of the State. The constant aim of the populace is to draw within their circle as much of the executive power

as possible, and to blend this with their legislative authority; two things which universal experience elsewhere shows ought always to be kept separate.

The progress of democracy has been quite as remarkable, from all I could learn, in the case of the general government of the United States, as in that of any of the separate State sovereignties, and the tendency to unite the legislative and executive functions—the most perilous of all combinations, and truest road to tyranny,—made still more complete. During the administration of General Washington, the government was carried on with considerable vigour, both at home and abroad, by means of his great influence, and his inflexible adherence to what was then considered by the highest authorities the true interpretation or construction of the Constitution. But great changes have been made since, especially in the political character of the Senate.

I find the following passage in Niles' Register, vol. XIV., page 49, for the year 1811:—"It cannot have escaped the observation of those who have attended to the legislative history of our country, that with the growth of our government, the complexion of the Senate of the United States has gradually varied from that which it appears to have worn in the infancy of our political institutions, and that the character of its deliberations more

and more nearly approaches that of the representative chamber.

"The Senate, on its first organization, secluded itself from the public eye, and appears to have been considered rather in the light of a Privy Council to the President, than as a co-ordinate branch of the legislature. Indeed, if we mistake not, it was so termed in conversation, occasionally, if not in official proceedings of that day. There are not many of the present generation of readers who remember the fact, that in the first session of the first Congress of the United States, President Washington personally came into the Senate, when that body was engaged in what is called executive business, and took part in their deliberations. When he attended he took the Vice-President's chair, and the Vice-President that of the Secretary of the Senate. One or other of the Secretaries of State occasionally accompanied the President in these visits. The President addressed the Senate on the questions before them, and in many respects exercised a power in respect to their proceedings, which would now be deemed incompatible with their rights and privileges. This practice, however, did not long continue. An occasion arose of collision of opinion between the President and the Senate, on some nomination, and

he did not afterwards attend, but communicated by message what he desired to lay before them."

I may take this occasion to mention another very peculiar, and in every respect important feature in the American government. None of the Ministers of State, nor indeed any person in office, can sit in either House; consequently, all the information submitted to the legislature by the executive is, of necessity, in the shape of written communications. Neither is any person allowed to be present, on the part of the administration, to explain circumstances which may not be understood; still less to originate public discussions. When farther information is required, it must always be formally written for; since it would be held highly unconstitutional for any one acquainted officially with the facts, and responsible for their accuracy, to appear within the walls. This rule obtains not only in the House of Representatives, but even in the Senate, although one of their most important duties is to consider the fitness of the nominations to various offices suggested by the President, and also the propriety of treaties; neither of which subjects —let men say what they please—can ever be well understood, without oral communications.

At all events, one of the severest tests of the abilities of any public servant, and the most effective check to impropriety of conduct, are thus en-

tirely removed from official men in America. All experience shows that no ordeal is so severe as that of open discussion in the face of the country. Unfortunately, men will always be found to commit in their closet, without scruple, actions, of which the bare imagination would make them shudder, if they were liable to be called upon to explain and justify their proceedings in the presence of such a body as the House of Commons. In a country where the official men are exposed to daily personal scrutiny in the midst of their fellow representatives, and from the moment they accept office, are aware that they incur the risk of being cross-questioned at any moment, by any member of the legislature, these checks are surely much greater, because more prompt and searching, than where ministers sit apart in their offices, and have ample time to prepare their answers, without the chance of being called upon to reply offhand to troublesome interrogatories. The clumsy machinery of an impeachment, however useful to have in reserve for great occasions, is a poor substitute—in fact no substitute at all—for this everworking and truly popular safeguard. The prime object in politics is to keep men right—not to punish them when wrong. Companionship and vigilance form the soul of all discipline—and without personal contact and joint labour, there can

be no good results—as these jealous systems in America but too well serve to show.

When I come to describe the actual proceedings of Congress, I shall have an opportunity of reverting to this subject, and of showing how every kind of business is retarded, by excluding from the House all those men who must be best informed on the state of affairs. At present, I need scarcely say, how strictly in character such unbusiness-like arrangements are with that restless spirit of distrust, which meets a public man at every corner in his career—chilling the best energies of a generous-minded person, to whom mutual confidence is quite as essential in the execution of his duty, as the air he breathes is to his animal existence; while, on the other hand, the same machinery, applied to minds that are not generous, has a tendency to stimulate their worst propensities into double action, by raising the price of duplicity, and, by cutting off all chance of a virtuous interpretation of their motives, to render the election between selfishness and public spirit a matter not of principle, but of convenience—not of habitual sentiment, but of transient personal expediency.

It appears that Washington's successor, Mr John Adams, found it necessary to yield, on various occasions, some little points, as he thought them, but which, in fact, were the feather end of the

wedge that was eventually to move the whole edifice, when driven home by the resistless momentum of the sovereign people. Mr Jefferson succeeded, and as he was himself devoted to the cause of democracy, it made great strides under the hearty encouragement of his eight years' administration. The Law of Primogeniture was abolished, and various other acts passed, all tending the same way. In those times there were two great parties in the country, Federalists and Democrats, vehemently opposed to one another. There is no longer any such distinction, for the democrats have entirely gained the day, and their star will probably continue to rule the ascendant, until circumstances arise to change the whole aspect of affairs. I am confirmed in my opinion upon this point, by the admission of every American I have conversed with, that there is not a single instance in the whole period of their forty years' history, in which any power once given to the people has ever been got back again. This holds good in small as well as great matters. It is triumphantly announced by the democrats, and is admitted, in sorrow, by those persons who deprecate, but with vain bitterness of spirit, the resistless progress of the popular deluge, which threatens to obliterate so much that, in former days, was considered great and good in their country.

The only hope of the few remaining outcast Federalists—I may almost call them so—lies in the future crop which is to arise when the present torrent of democracy has retired, and left the political soil of their country not less rich than before, in all essentials to national greatness, but with a totally different species of tillage to call these resources into being. In the meantime, there is no denying—and in fact all parties agree—that the actual, practical, efficient government of the country, has got into the hands of the population at large, who have no mind to quit their grasp, and who, as I have before observed, having no neighbours to interfere with them, are at full liberty to carry on this great political experiment, as they call it, undisturbed in their wide field, and far from the embarrassments of European interests.

It would be tedious to enumerate all the different ways in which this pure democracy has been gradually brought about, and is continued in action in the four-and-twenty States of the Union. The manner in which it works in the case of the general government, however, will be readily understood from the following statement of one of the numerous devices by which the Legislative branch of Government has managed to draw to itself a great share of the Executive power.

The House of Representatives, upon some sug-

gestion of the Executive—I forget in what year—appointed a committee of foreign affairs, to deliberate upon a point referred to them, though heretofore all such matters had been managed exclusively by the President. Nothing further, of course, was intended by the Executive than to have the decision of the House upon this one case; but the Representatives, in the spirit already described, had no idea of parting with any authority conceded to them in a single instance, and straightway appointed not a temporary, but a standing committee, to consider not only this, but all other matters of the same nature. In process of time, other permanent committees were named to take various classes of questions into consideration. It soon afterwards grew into an established usage of the House, at its first meeting, to direct their Speaker to nominate standing committees. At present, accordingly, there are above thirty permanent bodies in the very heart of the legislature, strictly executive in their nature, who take charge of commerce, naval and military affairs, foreign matters, expenditures,—in short, of all public concerns whatsoever; while the nominal Executive, as well as the Senate, are compelled to submit to the overwhelming force of the House of Representatives—the organ of the triumphant people. I may perhaps err in the exact order or manner in

which these things have been brought about; but such is unquestionably the state of matters at present; so that when Congress is not in session, it may almost be said there is no general or national government at all—for the ostensible executive is tied up on every side, till the true executive—the Legislature, reassemble.

I remember once, before I had much acquaintance with the subject, asking a well-informed person, whether he did not think it possible, by some device of entails or of rank or station, to interpose a counteracting force to this popular torrent, in order to check some of the evils of such a wide-spreading democracy. He smiled at my entire ignorance of the feelings of the Americans on these subjects, and assured me that any such thing as I alluded to, or in the remotest degree approaching to an aristocracy—either of wealth, or title, or station, or even of talents, or experience—was absolutely out of the question, and was fully as inconsistent with the whole spirit of their system, as an equal division of property would be with that of England. "To maintain any aristocracy," said he, "that should be useful in the way you propose, there must be a powerful Government, possessed of a direct physical power as well as a high moral interest in preserving the said aristocracy. But if you place the actual executive, as well

as legislative government, in the hands of the mass of the people themselves,—whose direct interests, or, at all events, whose supposed interests, consist in destroying every thing approaching to hereditary accumulation of property, and whose thorough disposition and highest pleasure it is to prevent the operation of those distinctions between man and man which nature has invested them with, or which fortune may introduce,—it is not possible even to conceive how any such project could be attempted, still less rendered efficient in practice. The power being indisputably, or, as we say, 'emphatically, in the hands of the people,' who have little or no property, what could possibly prevent them from taking it from those who happened to have it? Nothing! There must in every democracy, as a matter of course, be a permanent conspiracy against property. There is not now existing in America, nor could there be established, any physical force sufficient to protect possessions unequally divided; and as to any moral force, it sets quite the contrary way;—for all the prejudices —the interests—the habits of the nation, are decidedly against it. And our lords and masters—the sovereign people—take good care, I assure you," continued my informant, "to let it be distinctly seen and felt, at every turn we take, how completely irresistible they are. Every day—every hour, the

population of this country," said the hopeless Federalist, "are becoming more and more democratical, and they will not remain contented—that is quite clear—while there is left one shadow of power any where, except amongst themselves. They are quite as suspicious, however, of each other as they are of us, and insist upon what is called amongst them, a Rotation of Office; a device which brings every man, competent or otherwise, into the legislature in turn; though, it is true, he soon makes way for another, equally uninformed, but not one whit less confident that he knows all about the matter!"

"Where," I asked, astonished at this picture, "where is all this to end? The new world, any more than the old world, cannot always go on at this rate."

"Ah!" said he, "that is what I cannot tell—no man can say when or how it will end. But in the meantime, it must be confessed that it is a great and curious experiment, however difficult it is to foresee the issue."

I then put some questions as to the Presidential election, which had been, and was still, agitating the country from end to end. He admitted that it was a topic fraught with difficulty whichever way it was viewed, and every aspect presented grievous danger to the Constitution; neither did he see any chance of peace or quiet while the pre-

sent system of choosing the head of the nation continued in force. "What would you do, then?" I asked, in hopes that I might hear some rational plan of amending matters; but he shook his head, and declared that it baffled him completely. "You will hear hundreds of proposals," said he, "for lengthening the period of service—for making it perpetual—for making it annual—for rendering the President once chosen ineligible, and so on, through every ramification of ingenuity; but all the plans I have yet heard are visionary."

Finding I could get no satisfactory answer to these speculative enquiries, I thought something farther might be obtained as to facts in actual progress, and therefore begged to have an example of the manner in which property was attacked by those who had none themselves. "Of that," he replied, "you will find thousands of instances as you go along, where men of wealth are taxed for projects which they disapprove of, but cannot avoid paying for, though their voice in making these appropriations of money goes for rather less than if they had no property at all. But," added he, "it will be better that you find out those things for yourself as your journey advances; and, I will answer for it, if you study the case attentively, you will have no lack of facts by which to form a judgment of the effects of democracy on public

spirit, and on private morals and manners. If you have opportunities of attending the debates in Congress, and afterwards study the Slave question, as well as that of the Indians, and particularly that of the Relief Laws, as they are called, by which the obligations of contracts in some of the Western States were almost completely dissolved; or if you shall have the means of watching closely the administration of justice, you will be abundantly satisfied, I am sure."

It did afterwards fall in my way to have a distinct view of most of these, and many other results of the democratical system. My present object, however, is not to dwell upon the results, but merely to establish the fact, that a democracy, and not by any means a truly representative government, does exist in America; the evils consequent upon that state of things will come better afterwards.

By casting up straws, we see how the wind sits; and, it may, perhaps, help to make my point good, to insert two or three of the toasts given at a public dinner at Philadelphia, in November, 1827, which are sufficiently characteristic.

"Executive patronage and the public purse—powerful engines with the travelling sycophants of aristocracy, but too weak for the pure democracy of the United States."

"New York and universal suffrage—the one a

good State, the other a good principle; together, they will advance the best interests of the nation."

"William H. Crawford—in whom the virtues of a sound and consistent democrat, an incorruptible patriot, and honest man, are concentrated. The Coalition could not convert him from the principles of Jefferson, nor can their slanders hurt his character; like the father of democracy (Jefferson), he avows it a blessing for his country, that Andrew Jackson will be fit for service four years more."

"The old democrats of 98, here and elsewhere. The youthful democrats of 1827—let them emulate their firmness, and escape their persecution."

"Official pirates.—Public opinion has already crippled their flag-ship; the ballot-box guns of the sovereign people will soon bring her colours down."

"The right of instruction, a republic's boast —Clay, Adams, Frank Johnson, &c. notwithstanding."

I am tempted to conclude this branch of the subject with a well-known quotation from the 38th chapter of the Book of Ecclesiasticus, in the Apocrypha, in illustration of this wholesome truth, which people sometimes forget, that in the body politic it is wise to keep the head up and the heels

down, instead of inverting the process, according to the present fashion in America. I certainly saw nothing in that country to disprove the truth of these old maxims, which, though not written by an inspired pen, are so admirably true to human nature, that they will apply to all ages and all countries.

"The wisdom of a learned man cometh by opportunity of leisure; and he that hath little business shall become wise.

"How can he get wisdom that holdeth the plough, and that glorieth in the goad? That driveth oxen, and is occupied in their labours, and whose talk is of bullocks?

"He giveth his mind to make furrows; and is diligent to give the kine fodder.

"So every carpenter and work-master, that laboureth night and day; and they that cut and grave seals, and are diligent to make great variety, and give themselves to counterfeit imagery, and watch to finish a work:

"The smith also sitting by the anvil, and considering the iron work, the vapour of the fire wasteth his flesh, and he fighteth with the heat of the furnace; the noise of the hammer and the anvil is ever in his ears, and his eyes look still upon the pattern of the thing that he maketh; he setteth his

mind to finish his work, and watcheth to polish it perfectly:

"So doth the potter sitting at his work, and turning the wheel about with his feet; who is alway carefully set at his work, and maketh all his work by number;

"He fashioneth the clay with his arm, and boweth down his strength before his feet; he applieth himself to lead it over; and he is diligent to make clean the furnace:

"All these trust to their hands; and every one is wise in his work.

"Without these cannot a city be inhabited: and they shall not dwell where they will, nor go up and down:

"They shall not be sought for in public counsel, nor sit high in the congregation: they shall not sit on the judges' seat, nor understand the sentence of judgment: they cannot declare justice and judgment: and they shall not be found where parables are spoken.

"But they will maintain the state of the world; and [all] their desire is in the work of their craft."

CHAPTER XV.

I TURN with the greatest delight from these ungenial and irritating discussions, to topics on which, if all the world do not agree, every one can look with complacency. I allude to the pursuits of science and literature; and I shall never forget the pleasure I experienced on being admitted to the friendly companionship of a circle of distinguished persons who had established a Philosophical Society at New York, called the Lyceum of Natural History. Their meetings were held once a-week; and though the numbers who attended were not great, the information communicated, and indeed the whole proceedings of the institution, were worthy of the highest praise.

All things considered, it is not to be expected that there should be many men of science in America; but those gentlemen who have turned their attention to these matters, have been well rewarded in the rich fund of knowledge which has every

where repaid their labours. Such enquiries, it is true, are conducted under considerable disadvantage, in the general absence of sympathy, and the dissimilarity existing between their pursuits and the occupations of all the rest, or nearly all the rest, of their countrymen.

I was a good deal surprised one evening to hear a paper read by a member of this excellent institution, the object of which was to show, that the enormous collection of boulders, or loose blocks of stone, found in digging the foundations of a new part of the city, and also lying in heaps every where in the neighbourhood, had not been brought there, as some persons supposed, by a great torrent or deluge. Immediately after the meeting, therefore, I made acquaintance with the author, and mentioned to him how different the conclusion was to which I had been led by the observation of innumerable other facts all over the State of New York, Canada, and the New England States. This in turn surprised him. But as he was a man of genuine philosophical spirit, the prospect of adding to his stock of real knowledge, seemed more than a compensation for the loss of a favourite theory; and accordingly we made an appointment for next day, during which we examined facts enough to satisfy him completely that his conclusions had been hastily drawn. If he felt any mortification, it

arose only from reflecting how long his eyes had been closed to evidences lying at his feet, every day in his life, but which had never once happened to engage his attention. This circumstance affords a lesson to geologists—and also to travellers, as some one remarked good-humouredly to me at the moment, by observing, that my own political optics might be equally closed to phenomena not less striking in the moral and political world, than those we had now been discussing.

Be this as it may, the evidences of an immense torrent having swept over the Canadas, and the Northern and Eastern States of America, are quite as striking as I have ever seen them in any other part of the world. The whole line of the New York canal from Albany to Buffalo—the shores of Lakes Erie and Ontario—the banks of the St Lawrence and the Ottawa, as well as both sides of Lake Champlain and Lake George, and all the country about Boston, and between that city and New York, are covered with marks of a tremendous deluge, which has evidently flowed from the North. The rocks are every where dressed, as if by a lapidary, all the asperities of the surface being worn quite smooth; leaving grooves and scratches parallel to one another. These I observed on limestone, slate, granite, puddingstone, and sandstone. Millions of boulders are scattered over the whole

country, and lie in great quantities on rocks of a totally different formation from themselves, some hundreds of miles from the nearest spot where, according to the investigations of many geologists, the parent rocks are to be found. The sides of most of these boulders are worn into flat surfaces, denoting the extent of their travels; and this appearance I observed was most remarkable on the undersides, when their form was such as to render their tumbling or rolling not so easy as that of sliding along. At Corlear's Hook in New York, where these transported stones lay in great numbers, we had many opportunities of studying their peculiarities, whilst the workmen were employed in removing them.

The direction of the torrent, as indicated by the scratches and groovings of the rocks, as well as by the form of the ridges in the land, and the attendant phenomena which occur when obstacles stand in the way, varies from N.N.E. to N.N.W. At Lake Erie it is about N.N.E., and at Boston N.N.W.; at the intermediate stations the direction varies with the form of the neighbouring high grounds; but all agree in pointing to the North, as the source from whence the flood must have come, which has left these distinct traces of its transient passage. When any cliff or mass of rock rises above the surrounding country, it presents a

bold naked face to the North, with a long tail or train of loose materials stretching towards the South. These, and many other circumstances well known to geologists, indicate with sufficient precision the direction of this mighty torrent.

Long Island, as will be seen by inspecting the map, lies at no great distance from and nearly parallel to the main shore, or nearly East and West. It is a hundred miles in length, and from ten to twenty in width, being composed from end to end of a mass of diluvian matter—of clay, sand, gravel, and myriads of water-worn boulders of every description of stone, cast together in the most admired disorder. The readiest theory to account for the formation of this interesting island, is to suppose it to have been deposited by the great torrent above mentioned, out of the sweepings of the countries over which it had passed. As long as the stream, probably several hundred feet in depth, was carried over the solid ground, its velocity would be sufficient to carry along an enormous mass of materials, by the attrition of which the surface of the submerged country would be polished or dressed as we now find it. But when this tremendous moving mass of half-fluid half-solid materials reached the sea, the water would spread itself on all hands, and the velocity consequently being almost instantly checked, the heavy matters

would be deposited, and Long Island formed, like a bank or bar at the mouth of a river, only as much more gigantic, as such a stream or deluge must be conceived beyond comparison greater than any permanent river on the globe.

I was much disappointed in the latter part of my journey in America, by not being able to discover the traces of this flood on the Alleghany mountains, where, I think, they must be found, as I know they exist in various parts of Pennsylvania, and in the State of New York directly north of them. Those noble ranges of mountains are now, however, so completely covered with wood at every part of the road by which I crossed them, that none of these traces could be discovered. I trust, however, that some of the gentlemen of the various Philosophical Societies which are starting up in different parts of the new world, will ere long multiply observations on this interesting subject.

On our way back from investigating these Reliquiæ Diluvianæ in the vicinity of New York, we looked in at an establishment belonging to one of the most skilful and successful ship-builders in America. This enterprising person, it seems, had already sent several large frigates to the Brazils, Columbia, and elsewhere; indeed, there was abundant testimony all round us of his industry and

ample capital; materials out of which a man of the least pretensions to genius in America is sure to carve a fortune very speedily.

A long, low, roguish-looking corvette, called the Bolivar, was pointed out to me, lying alongside the wharf, dismantled and said to be quite rotten, having returned from South America, after only two or three years' service amongst the Columbians. I naturally remarked, that the owners must have had rather a hard bargain of their ship if she lasted so short a time. "Oh, no!" said my companion, "she was not warranted to run long; and she paid herself three times over by the capture of the Ceres, you know."

"Indeed, I do not know!—The Ceres, what was she? I never heard of her before."

"Not hear of the Ceres?" said he, in a tone of surprise, as if no one could have been ignorant of her history.

"Never," I repeated.

"Why, then, I must tell you," said he laughing, "the Ceres was a ship built for the Spaniards in this very yard, and by the same gentleman who built the Bolivar for the Columbians, their sworn enemies. Now, in the course of the war one of these ships captured the other. Thus, you see, our friend here builds and sells for any one who is willing to pay; and if his customers choose to

go to loggerheads, and pit one portion of his handy-work against the other, it is no concern of his, you know !"

We left New York at noon, on the 28th of November, 1827, and proceeded in one of the beautiful and commodious steam-boats of the country, across the harbour in a direction nearly south. Our next point was Philadelphia; but an inspection of the map will show that, unless a great round be made, it is impossible to perform the journey all the way by water. The steam-boats, therefore, go as far as they can up a small river called the Rariton. The passengers then disembark, and are carried in stage-coaches across a neck of land till they reach the Delaware; where, having again shipped themselves in the steam-boat, they are speedily transported down the stream, to the goodly city of Philadelphia, which stands on the right bank of that magnificent estuary, on the point or triangle of low land, lying between the river just named, and the Schuylkill, not far above the confluence. Such a point, or triangle of land, between two rivers, is admirably adapted for the site of a great town. In Oriental nations, this particular spot is always held sacred, under the name of Sungum; but in the West, where the manners and customs are as different from those of India as their longitudes, such a nook is merely valued as

it affords facilities for commercial intercourse with the interior, and a communication with the sea.

The surface of the water in the harbour or bay of New York, through which we glided, during the first part of the voyage was as smooth as if it had been made of melted glass; so that the soft undulations, extending far on either side of us, looked like immense wings, so beautifully curved and polished as to reflect every object we shot past—not in zig-zag patches of broken images, but in well-defined, though detached pictures, which rested for some seconds, unmoved, on the sides or tops of these liquid ridges. There was no wind, and the air, though cold, being by no means disagreeably so, we kept the deck all the morning during this very picturesque inland navigation, between Staten Island on our left, and the shores of New Jersey on the right. Our course, after entering the Raritan, lay in very winding bends, amongst osier beds and salt marshes, thickly studded over with hay cocks. Some parts of the river were covered with broken sheets of thin ice, while at others we could detect innumerable crystals just beginning to form themselves on the surface.

In spite of the doctrine of liberty and equality, it is in vain to deny, that these said grand steamboats carry at one moment many distinctions of rank;—a circumstance which would matter little

if the whole journey were made by water; because persons of different habits, when there is room for choice, naturally keep together. The steerage passengers leave the quarter-deck free to ladies, or to those who choose to pay something more for the honour and glory of the principal accommodation. But when the vessel stops, and a dozen or two of carriages dash down to the wharf, each adapted to carry ten passengers, a scene of indiscriminate confusion and intermixture might occur, unless steps were taken to preserve some classification of the company.

The fitting arrangements to maintain order, and prevent disagreeable propinquities, without hurting the dignity of any one, are accomplished by a simple enough contrivance. The captain of the boat goes about the decks during the voyage, and having taken down the names of all the passengers, he judges from appearances what persons are likely to be agreeable coach companions to one another. He then tells each person what the number of the stage is in which it is destined he shall proceed after landing. The passenger, on learning his number, points out his luggage to one of the crew, who marks with a piece of chalk all the trunks and other things with the same number as the coach. Then the goods and chattels are sure to keep company with their owner, who, in fact, is treated pretty

much as if he himself were a portmanteau, and finds himself handed along from boat to coach, and from coach to boat again, with extremely little care on his own part.

On our way to Philadelphia from New York, we made a visit, by invitation, to the Count de Survilliers, elder brother of the late Emperor Napoleon, and formerly King Joseph of Spain, who has resided for some years at his country seat, near Bordentown, in New Jersey.

It would give me pleasure to relate the incidents of this agreeable interview with a person, the vicissitudes of whose life have been so remarkable. But I have no right to trespass on the retirement into which this amiable nobleman has chosen to withdraw himself. Yet I trust I am taking no unwarrantable liberty, by mentioning, that he has gained the confidence and the esteem, not only of all his neighbours, but of every one in America who has the honour of his acquaintance—a distinction which he owes partly to the discretion with which he has uniformly avoided all interference with the exciting topics that distract the country of his adoption, and partly to the suavity of his personal address, and the generous hospitality of his princely establishment.

On the 30th of November we reached Philadelphia, and next evening, the 1st of December, I

accepted the convoy of one of the kindest and most useful of men, to a very agreeable conversazione, consisting of most of the men of letters, and science, or general information, in Philadelphia. These meetings, called the Wistar parties, from their founder, the late Dr Wistar, a distinguished medical practitioner of that place, assemble once a-week at the houses of the members in turn. Certainly nothing can be imagined more advantageous than these parties for all travellers properly introduced to the agreeable society of Philadelphia, whose greatest pleasure appears to lie in giving a hearty and most hospitable reception to strangers. I had here the satisfaction of making acquaintance with many gentlemen, of whom I had heard before, and with some of whose writings I was already acquainted; but I have since learnt, perhaps too late, to estimate the full value of the opportunities then placed in my way.

A traveller, on such occasions, at least if he be an Englishman, has a curious, and not a very easy part to play. For although nothing can be more attentive or obliging than these gentlemen are, a stranger has to stand a sort of running fire of questions, many of which require more address than he may happen to be master of to answer with sincerity, yet without the appearance of incivility. I at least was often surprised to discover the degree of

anxiety with which the opinions of a foreigner were sought for with regard to many insignificant topics, upon which his sentiments might have been thought worth very little. I was also amused sometimes to find myself in the midst of a circle of gentlemen, one of whom catechised me, while the rest stood by like the Picadores in a well-known Spanish game, ready to insert an argumentative dart, when any weak point appeared. It must not be supposed that this was done ill-naturedly—exactly the reverse; for while I cheerfully courted such discipline, there was invariably the greatest good humour on the part of my obliging American friends. Indeed, I shall never forget these agreeable and instructive Wistar parties at Philadelphia; and I trust that my kind antagonists, in the national discussions alluded to, will not be displeased at my describing one or two of the peculiarities of their conversational society, which differ in some respects from any, which, as far as I know, exist elsewhere.

It frequently happened, for example, that the whole of an argument went for nothing, the instant it was discovered that some minor point of information had escaped the traveller's notice; though, when this trivial deficiency was supplied, the original reasoning stood as firm, and often firmer than before. Generally speaking, I may say

that throughout America, it seemed to be considered a sufficient answer to any exceptions taken by a stranger to what was passing, if it could be shown, —as, of course, it almost always could,—that some petty detail had been left out of sight. Many of these conversations, accordingly, were more like tussles between barristers fighting for their clients, than discussions where truth and justice were the sole objects.

It may be mentioned, by the way, that the inhabitants of Philadelphia, perhaps from being more stationary than those of any other part of America, seem at times to forget how liable they are to fall into those very mistakes which they deprecate so much in travellers. Permanent residents on any spot, indeed, become so intimately acquainted with what they see immediately round them, that they often take it for granted they know about every thing else at home, whether they have seen it or not. When any part of a stranger's information, therefore, respecting those parts of the country which these fixed residenters have not themselves visited, does not happen to square with their own preconceived notions, they instantly, and without much consideration, set down the whole of his opinions as erroneous.

If a man were to devote eight or ten years of his life exclusively to travelling up and down any

foreign country, there can be no doubt he would accumulate a much greater stock of particulars, than if his time were limited to eight or ten months. He would see more, it is true; but there is reason to doubt whether, in the end, his means of giving a correct general account of the country would be improved in the same ratio; because, along with his knowledge, he would probably imbibe a due share of local prejudices, quite as unfavourable to distinct vision, as those which obscured his eyes at first landing. The very multiplicity of the observed facts would in many cases distract his judgment, and lead him into error, by counteracting those habits of generalizing, which are so important to the formation of a clear and comprehensive narrative. All description, it may be observed, is a species of interpretation; and in this sense, the traveller, after a time, may be said to forget some portion of his native language—at least the tone and turn of his sentiments become insensibly changed, and with them the character of his expressions is altered likewise. Thus, one side of the interpreter's office may lose fully as much as the other gains. Besides which, if he be honest, he will be obliged to confess at last, that he has still much to learn, before he can feel as well acquainted with the whole country, as the

different residents must be with their own particular spots respectively.

There is a limit, no doubt, to this argument, beyond which it becomes a mere fanciful paradox. To assert, for instance, that such a country as America could be fairly judged of in six weeks, would be more absurd, than to say that justice could not be done to it in six years. There is some intermediate point, probably, in all these matters, where the best chance for a correct estimate will be found to lie; and this golden medium will vary with the different capacity of the observers, their previous experience, and the nature of their opportunities.

In discussing this point, I beg it may be understood, that I am not inventing difficulties, or hunting for speculations on a subject, which to some persons may seem clear enough. I feel in a measure obliged to discuss it; for, in almost every company in America, I had the mortification to hear it stated, that my stay was far too limited—that the country could not be seen under three or four years—that such a hasty visit as mine would only tend to confirm prejudices—and so on, through an endless chain of difficulties, the object of which was to show, that all the pains I was taking, or could possibly take, to understand the subject, must prove fruitless. Where the truth lies, I cannot pre-

tend to say—but of this I am quite sure—an account which should please every body, would require, not months or years, or even a whole life—it must not be the work of a mortal, but of an angel—and a hard task he would have of it!

On the 3d of December, we visited the Asylum for the Deaf and Dumb, which, like most of the charitable institutions in America, is admirably managed. The building is not only handsome in its external appearance, but skilfully and commodiously arranged within. The silence and order of a deaf and dumb establishment, give it a sort of enchanted appearance, which is very pleasing, when things are so ordered as to make the inmates happy. This excellent asylum is amply sustained by voluntary subscriptions, judiciously aided by eight thousand dollars a-year from the State Government.

We afterwards visited several of the schools in Philadelphia, in company with a friend, with whom, in the course of the morning, I fell into conversation upon the subject of American education in all its branches. This led, I forget how, to various discussions on the form of government, and many other collateral topics, which I have not room for here. But I cannot resist putting down the observation of another gentleman, who joined us during the day. "I think," said he, "that many of our

institutions are a-head of our morals. We are, in fact, as yet only in our chrysalis state, and though, as you may have observed, we boast a good deal, we are, generally speaking, well aware of the disadvantages under which we now labour, and must long continue to labour. Society here is running the same course as it has done in other countries—only somewhat more rapidly—and Time will tell us the result."

On the 4th of December, we visited the new Penitentiary, in company with one of the principal managers. The building is of considerable extent, and is not without architectural beauty; but, I am sorry to say, I think it entitled to no further praise. There cannot be, and indeed, as far as I know, there has never been, a shadow of doubt cast on the public spirit, and the benevolence of the motives, that have led to the erection of this expensive establishment, which, when completed, is, I understand, to hold only 250 prisoners, though estimated to cost five hundred thousand dollars. The new State prison at Sing Sing, formerly described, adapted to the safe custody of 800 convicts, will cost little more than one hundred thousand; while that which we visited near Hartford, for the reception of 136 prisoners, has cost under forty thousand dollars. This consideration of expense, however, is immaterial, or would be so considered,

I am sure, by the liberal-minded inhabitants of Pennsylvania, were it not a matter of great doubt, whether or not the most costly be the better of the two systems of prison discipline. The Auburn plan, or that which has been adopted in the State of New York, and more lately in the eastern States, has been already fully described. The system of penitentiary discipline, originally proposed for this new prison at Philadelphia, consisted of unremitting solitary confinement, both by day and night, and without labour. Some modification has, indeed, been proposed latterly, by which it is intended the prisoners shall be set to work in solitude, in little courts before their cells, under circumstances, however, which, it is thought by persons who have studied the subject, will hardly ensure regularity of labour, chiefly from the difficulty of superintendence.

As the controversy which has arisen in America respecting the merits of these two systems—that of Philadelphia and that of Auburn—has been carried on with great animation, and as I have already described the Auburn prison, it is right I should mention what are the peculiarities of the intended penitentiary at Philadelphia.

In the centre of the yard is erected what is called an observatory, and on seven lines diverging from this building are to be built double ranges of cells,

each 12 feet by 8, and 16 feet high, lighted by a small hole in the top. Connected with these apartments on the outside, is a small exercising yard, through which the cell is entered. The keeper, however, can see the prisoner through a small orifice opening from the cell into the passage. This opening, which may be closed at pleasure, it is intended shall generally be kept shut, though it affords the only mode of seeing the prisoner, except when the door into the small court is opened. When in the exercising yard, he cannot be seen at all. The central building is miscalled the Observatory, since none of the movements of the prisoners can be discovered from it, in consequence of the intervention of the side walls; and thus effectual inspection seems out of the question. When in their cells, they have no means of communicating with one another, it is true, and if the orifices into the passage are closed, they are shut out so completely from the world, that they have no means of calling to the keeper, even in the event of sickness.

The Auburn plan, it may be useful to remember, consists in the strictest solitary confinement at night—in hard labour, but in rigid silence, by day, and always in company, though under constant superintendence—in solitary meals, under lock and key—in regulated marchings to and from their workshops—in subjecting the prisoners to

stripes for infractions of the prison rules—and in their never being placed in absolute solitary confinement, except as a punishment of a temporary nature—in having prayers morning and evening said regularly by a resident clergyman, with whom alone the prisoners are allowed to converse, and that only on Sundays.

The Philadelphia plan is widely different from this. It is intended that the prisoners shall be subjected, during the day as well as night, to separate confinement, either in solitary idleness, or in solitary labour; along with which they are to be allowed no more exercise than what they may themselves choose to take in their little courts. The keeper is the only person, besides the clergyman, who is ever to see them, and a Bible is to be placed in each cell. By these means, it is expected that while many of the prisoners will be reformed, a salutary terror will be spread over the evil spirits of the State, and crime will thus be doubly prevented.

The arguments on both sides of this important question, however interesting to many persons, are much too long to be crowded into a narrow space. But it may be mentioned, that all parties are agreed on one point,—the superior productiveness of the labour of the prisoners under the Auburn system, by which means a large proportion of the

whole expenses of every prison on that plan is defrayed from this source alone. Such considerations, however, would of course weigh little, were they not accompanied by other advantages. The point most under discussion in America, at the time of my visit, related to the reformation of the convicts; and it may be useful to dwell upon that branch of the topic for a few moments.

As far as I have been able to learn, all the experiments which have been tried in America on solitary confinement have proved its inefficiency for any purpose of reformation; while there is abundant reason to suppose, that in very many cases—I believe a majority—it leads to insanity or to suicide. It is difficult, indeed, to see how any good can spring out of compulsory idleness in a prison, when the whole analogy of external life proves it to be the parent of every mischief. It ought always to be borne in mind, also, that it is no part of the object of prison discipline to torture the prisoner, merely as a punishment for his offences, independently of its effect as an example to society. Neither, of course, should a jail be made a place of amusement. It ought certainly to be rendered exceedingly irksome to the culprit; but, as far as he is concerned, its discipline, bodily and mental, should not be more severe than will make him fully sensible of the folly of his past

ways. In order to accomplish this at the least expense of permanent human suffering, the criminal should, if possible, be so treated, that when he gets out again, and starts afresh in the world, he should be less inclined to do mischief than he was before. The only serious doubt is, whether there is much chance of amendment taking place in a vicious and ill-regulated mind, if left to commune exclusively with its own thoughts, in solitude, with or without labour, but deprived of every ray of cheerfulness to lend efficacy and confidence to virtuous resolutions. The occasional visits of the clergyman may certainly relieve the fearful misery of absolute solitude; but unless the prisoner's mind be more or less habitually enlivened, even these lessons will fall on a soil unprepared to give them efficacy.

Although, under the very best conducted system of prison discipline, it seems more than doubtful whether any material reformation can ever take place amongst old culprits, it is, undoubtedly, our duty to give them the best chance of amending their lives. No method that has ever been hit upon, as far as I know, comes nearer to the accomplishment of this point than the Auburn plan, so often alluded to; while that of Philadelphia steers wide of the mark, by leaving out several elements apparently essential to reformation.

In justice to the Americans, who exert them-

selves so manfully in this difficult race, it must not be forgotten, that with them the reformation of convicts is a more momentous question than it is with us, for they have no outlet similar to that of Botany Bay, by which so many evil spirits may be extirpated, root and branch, from society. It is not always recollected, by people in England, that this good riddance is accomplished at an expense greatly less than it would cost us to maintain them permanently, under any effective system of surveillance at home, and, as far as they are concerned, with far less chance of their reformation. The general, but perhaps unreasonable, objection to capital punishments in America, is another cause of the augmentation in the numbers of those persons whom it is absolutely necessary, for the peace of society, to place annually in confinement in the very heart of the country, while the influence of this misapplied lenity on crimes of the highest enormity, is by many persons supposed to be any thing but salutary.

I heard at Philadelphia one curious argument in favour of the solitary system: It was said to be so dreadfully severe, that it would frighten all the rogues liable to its action, out of the State of Pennsylvania altogether! But if this, which was gravely stated to me, were justifiable, fire, or any other species of torture, would be preferable; because,

while equally effectual, it would be more transient in its operation, and if it stopped short of death, less horrible to think of, from being applied to the body, not to the mind. I speak this in sincere earnest, being of opinion, after much patient investigation of the subject, both in North and South America, and elsewhere, that there really is no torture more severe, even to a virtuous mind, than absolute solitude; and that to one which has nothing but vice in its retrospect, the misery becomes absolutely unbearable.

On the 10th of December, while these topics were fresh in my thoughts, I visited the Bridewell, or common jail, of Philadelphia, in company with the gentleman who had shown me the intended solitary prison. Nothing, I thought at first sight, could be much worse than the scene which I now witnessed. Some of the prisoners had been sent there for petty offences, some to take their trial for the most heinous crimes; but the whole mass of guilt, by conviction, or by anticipation, or by mere suspicion, black and white, were all huddled indiscriminately together in a great court-yard, or under a long covered shed, where they were left to lounge about in absolute idleness, and to indulge in the most unrestrained intercourse; forming, as my friend justly observed, a complete high school of practical iniquity. At night, these same per-

sons were confined in parties of ten, twenty, or thirty, in each room, where the lessons of the day were repeated, and the plans of future villainy no doubt matured.

The advocate of solitary confinement called upon me at this moment to say, whether any thing could be worse than what I now saw before me; and asked triumphantly, if it would not be a great improvement to have all these people confined in separate cells?

I admitted that it was difficult, at first sight, to conceive any thing much worse.

"At all events," I observed, "it is satisfactory to see no boys amongst this crowd of old sinners."

"Oh!" said the keeper, with an air of glee, and a sort of chuckle, as he rattled a bundle of keys, "we keep the youngsters in another part of the establishment, quite in a different manner; they can come to none of the mischiefs of evil communication."

"I should like much to see how you manage that," I observed to him.

So he and I, leaving the rest of the party, walked off together through a long series of half-darkened passages joined by flights of steps, some leading up, some down, till at length, far away from the rest of the world, we came to a range of cells, each ten feet by six, the passage with

which they were connected being feebly lighted by a narrow window at the end. These dens were closed by iron doors, with chinks left for air, and in each of them was confined a single boy, who was left there both day and night, in absolute solitude;—without employment of any kind, without books, and far beyond the reach of appeal to any human being.

I went close to one of the cells, in which, as soon as my eyes became accustomed to the degree of light, I could distinguish, between the plates of iron which formed the door, a fine-looking lad, about thirteen years of age. On asking the keeper what crime the boy had committed to merit such severe punishment, I was told that he had twice ran away from his master, to whom he was apprenticed. This was literally the sole offence for which he had been thus caged up during no less a period than nine weeks!

"Speak to him, sir," said the keeper.—I did so, and asked him how he liked it?

"I am very miserable, sir," he said, "I am almost dead."

"What do you do with yourself—how do you employ your time?"

"I just walk up and down here—miserable!"

"Have you no books?"

"No, sir."

"Did not you tell me a little ago," said I, turning to the keeper, "that in every cell there was a Bible?"

"O, yes, I did; but all those belonging to the boys were worn out and gone long ago."

"Have they, then, absolutely no means of employing themselves?"

"None whatever," was the reply.

CHAPTER XVI.

In America, there is no system of mutual concert and assistance amongst the publishers of books, as there certainly might be, though not very easily, and greatly to the advantage of the public and of themselves. The praiseworthy and spirited exertions of some leading persons in this line of business, to accomplish the point in question, have been always unavailing, and, consequently, there is not at this moment the slightest concert, nor any combined system of subscribing and circulating books, according to the practice in England. It is true many of the circumstances are very different, as I shall presently show; but still plans might easily be devised, which would greatly advance the cause of literature, could 'the Trade,' as they are called, be brought to act cordially together.

No foreigner, unless he be a resident in the United States, can take out a copyright in America, either openly, or by indirect contrivance.

An American publisher, therefore, who succeeds in obtaining a copy of a book written in Europe, may reprint and put it into circulation, without sharing the profits with the author, or having any connexion with him at all.

" Mere extent of sale, it may be observed, is the grand object aimed at by the American republishers; and as nothing secures this but low prices, competition takes the direction of cheapness alone. This circumstance affords a sufficient explanation of the miserable paper, printing, and binding, by which almost all reprinted books in that country are disfigured. It is very true, they serve their purpose; they are read and cast aside, or, if kept for any time, they inevitably go to pieces. Except in the large cities, in the houses of the wealthiest persons, or in public institutions, there is no such a thing to be seen as a library. Undoubtedly, a vehement passion pervades America for reading books of a certain light description; but there does not exist the smallest taste, that I could ever see or hear of, for collecting books, or even for having a few select works stored up for occasional reference. In truth, the rambling disposition of the great mass of the people, their fluctuating occupations and habits of life, even in their most settled state, and various other causes, some domestic, and some political, puts it out of

their power to form libraries;—at all events, be the causes what they may, very few individual persons ever seem to think of such a thing—a transient perusal being all that is looked for.

Messrs Carey and Lea, of Philadelphia, the republishers of the Waverley Novels, who happen to be persons of the highest activity, not merely as tradesmen, but as men of letters and science, always get over, at some considerable cost, the proof sheets from England, and having printed a large quantity, throw them into the market before any other English copies can have reached the country. These spirited publishers are sure of a certain amount of profit, in consequence of the avidity with which the works in question are welcomed by the public; the number printed being generally, I believe, above ten thousand. In consequence of the momentary monopoly which these gentlemen enjoy, from obtaining the proof sheets to print from, and thus securing the priority of publication, they are enabled to put a small additional price to each copy above what the book will eventually bear when brought fully into the market from other quarters. But they must take great care not to fix the price one cent higher than the anxiety of the public will counterbalance.

A Waverley Novel, which in England is printed in 3 vols. at 31s. 6d., is republished in 2 vols. at 8s.

6d. In the course of a few days afterwards, however, it is often republished on coarser paper and in a smaller size, for several shillings less, and, before many weeks have elapsed, copies are sold for a dollar, or 4s. 3d., and sometimes even cheaper. The price of the American edition of Sir Walter Scott's Life of Napoleon, reprinted in 3 vols. octavo, was $4\frac{1}{2}$ dollars, or about 20s. In England, it was 94s. 6d. Within a short period after its first appearance, it was again republished and put into circulation for two dollars and a half, or about 10s. 6d., being little more than a ninth part of the original English cost. The materials and the execution of these works, compared with those of the original, bear a pretty fair proportion to the above differences in price. But if the original republishers at Philadelphia, guided by their own excellent taste in these matters, were to attempt to get up the works in question in a more respectable style, and consequently at a higher price, the edition might lie on their shelves till doomsday!

The sale of a book does not go on from month to month, or from year to year, as with us—the whole being over in a few weeks, or, at the most, months;—consequently, the printer who is most expert, and most ingenious in cheap devices, makes the most profit while the public curiosity is alive.

The precaution used by Messrs Carey and Lea, of getting out the sheets of any new and popular work before its appearance in England, does not always afford them even a temporary security against competition. Upon one occasion, indeed, they very nearly sustained a heavy loss. They had received, by various opportunities, all the sheets of a Waverley Novel but one, and as fast as they received them, printed off about ten thousand copies of the work. The packet in which this unfortunate last sheet was dispatched, sailed from Liverpool on the 1st of the month, up to which time the book had not been published. But it happened, perversely enough, that a ship which sailed from Liverpool some weeks afterwards, arrived at New York on the same day. In the interim between the sailing of the first and the last of these two vessels, the book made its appearance in England, and a complete copy, sent off by the last opportunity, reached America at the very same moment with the anxiously looked for missing sheet, sent by the first ship.

The publisher, a man of great energy and promptitude of purpose, who was waiting at New York for the arrival of the packet, boarded her before the anchor was gone, got hold of his prize, and galloped back to Philadelphia. The unlucky sheet was straightway set up in a dozen different

printing offices, which were kept in motion night and day, by relays of workmen, till the book was not only completed for immediate sale on the spot, in Philadelphia, but, by means of carriages posted on the road, a couple of thousand copies were actually ready for distribution at New York, within six-and-thirty hours after the arrival of the ship! Thus the missing pages had first to travel ninety miles before they reached a printing press, then to be worked off, stitched, packed, and returned to New York, all in a day and a half, so as to supply the market before any of the publishers of that city had time to enter the field.

It is amusing to think that cases may, and I believe have occurred, in which the early sheets of one of these works have been printed and ready for publication on the other side of the Atlantic, when the conclusion of the story was yet unwritten on the banks of the Tweed!

At first sight, it seems hard that English publishers should reap no benefit whatever from this extensive part of the circulation of their works. But, on the other hand, as long as there is little or no home literary manufacture, it is so obviously to the advantage of America to keep clear of the entanglement of copyrights, and every other species of monopoly in books, that no statesman of that country could venture to propose a change,

or indeed could reasonably expect to carry any measure, having for its object the advantage of foreigners, to the manifest injury of his countrymen. Were the balance of letters equipoised between the two countries, it might then, naturally enough, be the subject of discussion and mutual adjustment; but the case is quite different.

One thing, however, might, and I think ought to be done, which would injure nobody, and tend essentially to improve the taste and information of America, so far as books are concerned, not only with respect to the mere paper and printing, but also as to the substantial quality of the matter contained in them. At present, a duty of 30 cents, or about fifteenpence a-pound, is charged on imported books, which, it will be observed, is quite superfluous as applied in the way of protection, in all such speculations as those above alluded to; since, even were there no duty at all, the expenses of copyright in England, added to the charges of transport across the Atlantic, would inevitably prevent successful competition in the American market, in all those cases where the circulation of a book was considered great enough to justify republication. No English copies of any popular book would, therefore, be ever sent out, with a view to this competition; for the cheapest possible English-printed work could not stand a moment

against the same work when reprinted in America. But the duty acts as a direct prohibition in the opinion of many persons in that country, whose taste would prompt them to have good-looking and lasting copies, even of these popular works, if they could be procured, without the present extravagant cost. If the facilities of import were greater, the number of such persons, wishing to possess handsome editions, would increase likewise. The benefit, however, to the English publisher, from this source of sale, would, if any thing, be very insignificant and transient. For the American bookseller, in every case of successful sale, would soon find it for his interest to meet the demand for better books, by throwing off some hundreds of superior copies in every edition, in order, and very fairly, to crush the foreign competition. At present they have no motive to print any fine copies at all, because no foreign and good copies enter the market, to show the way, or to stimulate the booksellers to greater exertion.

None of the publishers with whom I conversed in America, objected to an arrangement for taking off the duty. Even those who, from the extent of their transactions, might be supposed most concerned in guarding the national monopoly, were always the most confident in asserting that the change might, and ought to be made, as it would

not only augment their own pecuniary interests, but must essentially benefit the country.

There is yet another, and more important, view of this subject, however, in which America is deeply interested. At present, with few exceptions, the only English works reprinted in that country, are those of a light and popular character, while the more solid mass of European literature never finds its way across the Atlantic, or is known only to the scholars of that country. At all events, such works alone as happen to have acquired popular currency and reputation in Europe, sufficient to justify the mercantile speculation, are republished in America. But if the duty were removed, many books would probably be introduced into America, which are not even heard of there. Persons wishing to form libraries, are prevented, as I have heard them again and again declare, chiefly by the additional expense caused by the duty upon books which are not to be had at home. The American booksellers themselves, who would be the channel of such importations, are, of course, losers by these impolitic restrictions; for it is not a question of foreign competition—but merely whether or not these books shall, or shall not, exist at all in the country. The works of the description I allude to never enter the American market, and never will enter it, or even stand a

chance of being known, still less of gaining favour in that country, till they cease to be positively discouraged. As the present prohibition benefits nobody, and indeed has no pretence of protecting any interest of a domestic growth, it is wonderful how the Americans, so quick-sighted in most matters, who cheerfully expend such large sums of money on education, and take so much pains to advance the cause of letters, should not see, that by thus excluding books printed abroad, they are actually retarding the cause of general intelligence, and keeping down the good taste of the country.

If the sort of books I speak of were written in America, there might be some shadow of sense in excluding similar works; but the fact is, no books of that description are now written there; and neither the taste for reading them, nor the talents for composing them, will ever grow up, if the established models be thus jealously excluded.

In the Celestial Empire of China, any person who presumes to introduce an improvement in ship-building, receives thirty blows with the bamboo. And there is some reason in this summary regulation; for the Junk builders of that ancient country are a powerful body, claiming protection for their industry. But where shall we find an equally large body of classical authors in America, who, on the truly Chinese principle of exclu-

sion, call for protection against the scholars of Europe?

In Philadelphia, there were no fewer than sixteen public libraries in 1824, containing in all upwards of sixty-five thousand volumes.*

The American Philosophical Society in that city is too well known in Europe to require any particular mention. The library of this distinguished institution has been gradually increased of late years, to a considerable extent, chiefly, I believe, by the indefatigable exertions of the librarian, Mr John Vaughan, who certainly deserves the thanks, not only of Philadelphia, but of America in general, and I may add, of the scientific public in all other countries interested in American research. He has collected the most complete series anywhere extant of the different Memoirs and Transactions of the various learned institutions established in the old world, which he contrives to keep constantly up to the date of the latest publication; by which means, the most complete facility of reference is afforded to American enquirers at all times. I need not say that the valuable Transactions of the Philosophical Society itself are transmitted, in return, to all those institutions; by which useful interchange, the most important scientific intercourse

* "Philadelphia in 1824." Carey and Lea.

is maintained with every foreign nation, where letters or physical enquiries are pursued.

This judiciously selected library contains, in a separate department, a complete set of catalogues of all the other public libraries in America, so arranged, that in a few minutes it can be ascertained whether or not any given book is to be found in the country. This ingenious device compensates, in a great degree, to literary men, for the smallness of many of these collections, by enabling them to know what the whole country possesses.

Besides the Philosophical Society, there are various other learned bodies in Philadelphia, of which I shall merely say, that I have seen few similar institutions elsewhere, managed with a more earnest desire to pursue knowledge for its own sake. The inhabitants of Philadelphia, indeed, appear to have more leisure on their hands than those of any other city in the Union; and accordingly, scientific and literary pursuits are there cultivated with much steadiness and success. This circumstance imparts a peculiar character to the style of thought and of conversation in that city, sufficiently obvious to distinguish the inhabitants from those of most other parts of America.

Philadelphia has been called a Quaker-looking city. It certainly possesses a good deal of the regularity and neatness which belong to that charac-

ter. But there is much beauty in it also—just as we may often detect a very pretty face under a very demure bonnet. It stands upon low ground, but there is sufficient variety in the houses, churches, and other public buildings, to give it considerable interest. The city, as planned on paper, extends from the right bank of the Delaware, to the left bank of the Schuylkill; but only the eastern or Delaware side is yet built. The principal streets, which run at right angles to both rivers, are named after different trees. The local distich—

"Chestnut, Walnut, Spruce, and Pine,
Market, Arch, and Race, and Vine,"

every stranger does well to get by heart, as a sort of memoria technica, to guide him through the city. There is one exception, as it will be observed, to this rule, in favour of the noble paved avenue, called Market or High Street. The streets which cross these again, at right angles, are numbered from 1, as high, I think, as 14 and upwards, and will go on, I presume, till the town reaches the river Schuylkill.

On Saturday the 8th of December, I had again the pleasure of finding myself at one of the Wistar parties—meetings well contrived, and maintained with much spirit. In the course of the evening, I fell into conversation with Mr Du Ponceau, a gentle-

man well known to European and to American literature, as one of the most learned philologists alive. He attacked me, with great good-humour, and much more learning than I could stand under, upon a statement I had published some years ago, respecting the nature of the languages used on the shores of the China sea. I had taken upon me to say, that in every one of those countries, China, Japan, Corea, and Loo-Choo, though the spoken languages were different, the written character was common to them all, and, consequently, that when any two natives of the different countries met, though neither could speak a word of the other's language, they could readily interchange their thoughts by means of written symbols. Before Mr Du Ponceau had proceeded far in his argument, he made it quite clear that I had known little or nothing of the matter; and when at length he asked why such statements had been put forth, there was no answer to be made, but that of Dr Johnson to the lady who discovered a wrong definition in his dictionary, "Sheer ignorance, madam!"

Seriously, however, it is to be regretted that an error of this magnitude in the history of language, should still have currency; and I have done, by way of reparation, what obviously presented itself at the time. I prevailed upon Mr Du Ponceau to write down his ideas on these points, which have

since been published in the Philosophical Magazine and Annals of Philosophy for January, 1829, in London. In this paper it is shown, I think with great success, that while the languages of the countries in question are dissimilar, both when spoken and when written, the Chinese characters may very probably be known to all well-educated men over the whole of the region to which I had referred.

I wish I had room for the whole of my esteemed friend's letter; but perhaps the following passages may prove interesting, although I would strongly recommend any one who takes an interest in such enquiries to consult the whole argument by which these conclusions are substantiated.

"This reasoning, you will say, may be perfectly correct; but what if, in spite of your theory, Chinese books are understood in Japan, Corea, and Cochinchina, even though the people do not understand the spoken idiom of China? This is, indeed, a pressing argument; but was the child born with a golden tooth?

"It is a pretty well ascertained fact, that in Tonquin, Laos, Cochinchina, Camboje, and Siam, and also in Corea, Japan, and the Loo-Choo Islands, the Chinese is a learned and sacred language, in which religious and scientific books are written, while the more popular language of the country is employed for writings of a lighter kind. It is not,

therefore, extraordinary, that there should be many persons in those countries who read and understand Chinese writing, as there are many among us who read and understand Latin; and many on the continent of Europe, and also in Great Britain, and the United States, who read and understand French, although it is not the language of the country. In many parts of the world there is a dead or a living language, which, from various causes, acquires an ascendency among the neighbouring nations, and serves as a means of communication between people who speak different idioms or dialects. Such is the Arabic through a great part of Africa, the Persian in the East Indies, the Chinese in the peninsula beyond the Ganges, and the Algonkin or Chippeway among our North-western Indians. This alone is sufficient to explain why Chinese books and writings should be understood by a great number of persons in those countries, and why they should smile at an unlettered foreigner, who cannot do the like. But it must not be believed that they read those writings as a series of abstract symbols, without connecting them with some spoken language. If their language be a dialect of the Chinese, varying only in the pronunciation of some words, and if it be entirely formed on the same model, there is no doubt but that the two idioms may be read with the same characters, as their

meaning is the same in both; but if there is any material diversity between the two idioms, it is impossible that the Chinese character should be understood, unless the spoken language of China be understood at the same time; and this may be proved by well-ascertained facts."*

On the 12th of December, we made a pilgrimage to the tomb of Franklin—dear old Franklin! It consists of a large marble slab, laid flat on the ground, with nothing carved upon it but these words:—

BENJAMIN
AND
DEBORAH
} FRANKLIN.

1790.

Franklin, it will be recollected, wrote a humorous epitaph for himself; but his good taste and good sense showed him how unsuitable to his living character it would have been to jest in such a place. After all, his literary works, scientific fame, and his undoubted patriotism, form his best epitaph. Still, it may be thought, he might have been distinguished in his own land by a more honourable resting place than the obscure corner of an obscure

* Letter on the Chinese Language, in the Philosophical Magazine and Annals of Philosophy for January, 1829. By Peter S. Du Ponceau, Esq. President of the Am. Phil. Soc., and of the Athenæum at Philadelphia, and Corresponding Member of the Institute of France. Richd. Taylor, Fleet Street, London.

burying-ground, where his bones lie indiscriminately along with those of ordinary mortals, and his tomb, already wellnigh hid in the rubbish, may soon be altogether lost.

One little circumstance, however, about this spot, is very striking. No regular path has been made to the grave, which lies considerably out of the road; but the frequent tread of visitors having pressed down the rank grass which grows in such places, the way to the tombstone is readily found without any guide.

During such a man's lifetime, every person must feel—whatever be his political creed as to distinctions in rank—that Franklin would have been much out of his place had he passed his time amongst inferior company. All the world were ready to acknowledge that his proper sphere was that of the master spirits of his age; and, probably, it was mainly in consequence of his occupying so commanding a station—to which his genius and virtues alone had raised him—that his lessons of practical wisdom were delivered with such peculiar force.

That the Grave levels all worldly distinctions, is true only as far as relates to mere corporal attributes. But in the case of so distinguished a philosopher as Franklin, for example, who may almost be called the Socrates of modern days,

Death, instead of lowering the moral rank of its victim, contributes, if any thing, to raise it still higher. During Franklin's lifetime, it must be recollected, that by far the greater part of the world, his contemporaries, although they acknowledged his influence, held no more personal intercourse with him than posterity are able to do. The mere circumstance, therefore, of his absence from this living scene, can neither destroy the beneficial influence of his intellectual companionship, which we enjoy equally with our predecessors, nor weaken the salutary example of his character and conduct. Still less does it diminish the weight of his authority; for although the grave, in such cases, absorbs, irrevocably, when life is extinguished, very much that cannot be supplied, that portion which has been recorded becomes, thenceforward, the fixed inheritance of all mankind, to be turned to greater or less account, according to the manner in which it is found to bear the touch of Time. The value of such instruction, however, in the estimation of ordinary minds, may often be modified by the degree of respect in which the author's memory is held. And in this lies the chief, though not the only, advantage of conspicuous and honourable monuments, compared with such unworthy neglect as that in which Franklin's grave is allowed to remain. In this spirit, the inhabitants of

Boston have lately erected a handsome cenotaph to Franklin; and I am sure the public-spirited Philadelphians will not fail to profit by an example, in which they ought to have been the first to lead.

In the course of the following morning, we visited several of the Public Institutions; some of them completed, and some only in progress, but all indicating a great deal of active, practical charity, and public spirit. Of these, one incomplete building interested me a good deal; it was a large and splendid naval asylum—a sort of Greenwich Hospital.

After going through the Bank of the United States, we visited the room in which the American Declaration of Independence was signed, upwards of half a century ago. Every one is familiar with the appearance of this apartment, from the well-known picture by Trumbull;—an artist who, I am happy to say, is still alive and hearty. An event so important in American story, it might have been expected, should have hallowed the spot in the estimation of every native of that country. But the unpleasant truth seems to be, that nothing whatsoever is venerated in America merely on account of its age, or, indeed, on any other account. Neither historical associations, nor high public services, nor talents, nor knowledge, claim any peculiar reverence from the busy gene-

rations of the present hour, who are reaping the fruits sown by their ancestors, or, to speak more correctly, by their predecessors—for the race who achieved their independence is not yet quite extinct. Be this as it may, all the rich panelling, cornices, and ornamental work of this room, have been pulled down, and in their place, tame plastering and raw carpentry have been stuck up, on the occasion of some recent festival.

The Turks who pounded the Frieze of the Parthenon into mortar, had an object in view; but I never could hear that the Americans had an equally good excuse for dismembering their Hall of Independence.

CHAPTER XVII.

On Wednesday, the 19th of December, 1827, we left Philadelphia, and splashed and rattled in a gallant Steamer, down the Delaware, at the rate of ten miles an hour, including stops, though in the very teeth of the flood-tide. The shore is quite low all the way to Newcastle, a town forty miles below Philadelphia; and all things having now their winter dress on, the landscape looked cold and spiritless.

Before reaching the wharf, the captain as usual arranged his company into parties of ten—nine for the inside of the stage, and one outside along with the driver; and when Newcastle came in sight, he displayed as many white balls on a pole as there were coaches required. But the party being unusually large, there arose some little difficulty after landing in accommodating them all, during which arrangements, the streets of the little village

in which they rendezvoused presented a curious scene.

There is no posting in America, as I must have mentioned before, and consequently no horses are kept at these stopping places, beyond the ordinary wants of the stage-coach. When, therefore, upwards of a hundred passengers arrive at one moment, the stage proprietors are obliged to collect extra cattle from the neighbourhood. This operation delayed us a little, while the street of the village was gradually filled with carriages. No one of these vehicles was allowed to start till all the luggage, and passengers, were safely packed, along the whole line; an operation requiring no small allowance of skill and determination: Of skill, because many of the boxes, trunks, and bundles, obstinately refused to fit the places allotted to them; and of determination, because it became absolutely necessary, from sheer want of conveyances, to stuff more passengers into the inside, and to stick more additional persons on the driver's seat, than was usual. All this required address on the part of the captain and the stage proprietor. But the philosophical quietness with which so much knocking about was submitted to by the parties exposed to it, was the most praiseworthy thing in the way of travelling patience I ever saw. Scarcely a word fell from any one of the party,—the talk and bustle

being monopolized by the two masters of the ceremonies, while the well-behaved passengers seemed content to be handled with nearly as much indifference as so many passive sheep. I need hardly say, however, that a sufficient uproar was created by troops of wild Irish porters wheeling barrow-loads of portmanteaus to and fro, amongst the legs of the numerous idlers who lounged about the pavement, with their hands in their pockets, and segars in their mouths, to see what was to be seen, but all in solemn silence.

In about three-quarters of an hour, when all was ready for a start, stage No. 1. moved forward: No. 2. followed; and so on, in regular succession, like a caravan wending through the desert. As this part of the road had been repeatedly described to us in shocking terms, as the worst in the Union, we prepared for an extra allowance of jolts and thumps; but we were most agreeably disappointed. The road, it is true, was not good, or, as the driver said, "pretty tolerably cut up;" but in the early part of our journey we had gone over many worse, and we had many sad forebodings—which proved but too true—that we were still to traverse hundreds of miles of ground, where it would be happiness to discover a little of this much-abused piece of road. At dusk, when we stopped to water the horses and brandy the gentlemen, the

busy scene round the little inn by the road-side, with ten or twelve great four-horse stages pouring forth their cargoes by the dozen, would have furnished materials for many a page in the sketch-book of some merry Cruickshanks.

The last hour and a half of this day's journey brought us, long after it was pitch dark, to French Town, on the left bank of the Elk river, a small stream running into the Chesapeake, the largest of those immense estuaries, or bays, which characterise the 'Sea board' of America. We could tell by the angry fizzing of the steam-pipe, and the tall column of sparks from the wood fire under the boilers, that all was ready for a start. The stages drew up on the wharf in the midst of a sea of mud, through which we had to find our way as we best could to the boat. Our feet must have been finely soaked with wet and dirt, had we not availed ourselves of an admirable species of overall shoes, much used in America, made entirely of Indian rubber, and without any seam, being by far the best things of the kind I ever saw. These shoes, which are brought from the north coast of South America, are quite light and easy for the foot, besides being altogether impervious to water. I am much surprised that they have not yet been brought into general use in England.

When at length we did get on board, the squeeze

was excessive, there being hardly room to turn about in; and as for chairs, or benches, they were all occupied by the lucky first comers, our predecessors. In the ladies' cabin, where I deposited my party, the heat was intolerable, and the air quite suffocating. But all mankind must be resigned to their fate when they put their foot on board ship—for, alas! there is no resource. The ladies sat round the apartment in fixed silent lines, with their reticules and little baskets in their laps, the images of philosophical indifference to all that was passing, till the supper made its appearance. This, as usual, being discussed in a crack, the tables were removed by three or four light-fingered negro domestics—slaves, I was given to understand—for we had now come within the limits of that large portion of the Union where the labouring population do not possess even the name of freedom.

A very diverting scene followed—a lottery for the sleeping births—of which it appeared there was not above one for every three passengers on board. This small number was still further reduced by a slice being taken off the gentlemen's cabin, to enlarge that of the ladies; for it is a rule we saw universally observed in America, never to think how the men shall fare till every female has been fully accommodated. A set of tickets, equal in number to that of the gentlemen, were

put into a drawer, out of which each one, as he paid his passage money, drew a card. If the ticket so drawn had a number upon it, well and good—it served as a voucher for the sleeping place bearing the corresponding figures. But if it were blank, the weary passenger had nothing for it but to stretch himself on the lockers, or to look out, according to the cockpit phrase, for the softest plank in the deck, and make that his bed.

There was much good-humour throughout the whole process, but, of course, the poor blanks were heartily laughed at. I was fortunate enough to draw a prize, which I was right glad of, being wofully tired, and having no mind to plank it! My number was 36, and proved to be in the fore cabin, at the extreme end of the vessel. But, oh, the misery of a long night on board of a crowded steam-boat! In the middle of the cabin blazed and smoked a red-hot stove, the ferruginous vapours of which were mixed with such a steaming and breathing of brandy, gin, and tobacco, as, for my sins, I have seldom encountered before. These miseries were made worse by the half-whispered prosings of sundry birthless passengers—interminable personages, who would neither sleep themselves, nor allow others to sleep. At last, when I had reached a most distracting pitch of restlessness, I got up and tried the open deck,—but a nipping

frost soon drove me below again. The tremor from the machinery, the puffing from the waste-pipe, the endless thumpings of the billets of wood on their way to the furnace, the bawling of the engineers, the firemen, the pilots, the captains, stewards and stewardesses, to say nothing of children crying, and the irritating pat-pat-pattering of the paddle-wheels, altogether formed an association of head-rending annoyances, for which blessings, forsooth! we are now to thank the inventors of steam-engines and steam-boats, the Watts and the Fultons of the past generation!

Be it so.—But when we get on shore, and have time to cool on the matter, it does seem a pity that any question should be allowed to rest undecided, respecting the merits of such men as those I have just named, especially when the point, as to priority of invention, has assumed something almost of a national character. One thing, however, is quite clear—no one doubts who is the inventor of the steam-engine now in use. But who deserves the praise of having invented the steam-boat, is a matter which ought to be fairly set at rest. Watt did not, in strictness, discover the principle of the steam-engine,—but he did more—he invented those practical applications which brought it into use. Fulton, in the same way, did not originate the idea of the steam-boat, but he combined and turned to

real, every-day use, devices which, in the hands of less able or less fortunate men, had not succeeded. A person who tries clever experiments, but goes no farther, must be content with the merit of ingenuity, and praiseworthy endeavours; while the honour of that invention which, after trial, continues to answer all the purposes aimed at, belongs unquestionably to the skill and sagacity of the person who knows how to profit, not only by the success, but even by the failure, of his predecessors. In science, indeed, it is rather a misnomer to speak of failure. Nature never fails. And although the philosopher who reads her pages aright will not be misled, the task of true interpretation belongs to genius alone; while the office of inferior minds is merely to turn over the leaves, without profiting by their contents.

As every thing relating to an invention of such vast importance must carry with it more or less popular interest, I have taken some pains to inform myself of the particular steps through which it has proceeded to its present height. A very brief notice will show distinctly how the degrees of merit, in this matter, ought to be apportioned.

In 1737, Mr Jonathan Hulls, of London, proposed to apply steam as the moving power for working a paddle wheel in a steam-towing vessel, in a pamphlet bearing the following title, which

is singularly prophetic of the eventual uses of the power which he felt himself in possession of, but had not skill or means enough to apply:—"A description and draught of a new-invented machine, for carrying vessels out of or into any harbour, port, or river, against wind and tide, or in a calm." For this idea Hulls obtained a patent in 1736.

Between 1769 and 1784, Mr Watt took out his various patents for improvements on the principle and mechanism of the steam-engine.

In 1781, the Abbé Arnal proposed in France to apply the steam-engine to work lighters in the inland navigation of that country. During the next year, the Marquis of Jauffroy built a steam-boat, which was tried upon the Saone, but did not succeed.

I understand that in the United States Mr Ellicot, in 1775, and the well-known Thomas Paine, in 1778, suggested the use of steam for propelling boats. In 1785, a competition for the merit of this invention arose between Mr James Rumsay of Virginia, and Mr John Fitch of Philadelphia. Mr Rumsay proposed to propel his vessel by a current of water forced out at the stern, and Mr Fitch by paddles, not wheels. Mr Fitch actually constructed a steam-boat, which worked upon the Delaware,

between Bordentown and Philadelphia, but it was soon laid aside.*

In 1787, Mr Patrick Miller of Dalswinton published a pamphlet, with a description and print of a triple vessel, propelled by paddle wheels, moved by cranks, originally intended to be worked by men. He states, that "he had reason to believe that the power of the steam-engine may be applied to work the wheels, so as to give them a quicker motion, and consequently to increase that of the ship." This, certainly, was a great step.

In 1788, Mr Miller employed Mr William Symington, along with Mr James Taylor, the tutor of his sons, who was quite an amateur of the steam-engine, to superintend the construction and placing of a small one in his pleasure-boat upon a piece of water near his house. Its success encouraged him to an experiment upon a larger scale; and Mr Symington was employed to construct, at Carron, a steam-engine of greater power, which he was to erect in one of Mr Miller's double boats, upon the Forth and Clyde Canal. This vessel was put in motion at the end of the year 1789, and though found to answer in point of speed, was liable to objections which rendered it expedient to discontinue the use of it, and the machinery was taken out of the vessel.

* Colden's Life of Fulton, p. 132. New York, 1817.

In 1801, Mr Symington was again employed, by Lord Dundas, to construct a steam-towing vessel on the Forth and Clyde Canal, with more powerful machinery. This, he states, was completed upon an improved plan after many expensive experiments, and was tried in the spring of 1802, with two loaded vessels in tow, which it drew at the rate of about $2\frac{1}{2}$ miles an hour, against a head wind. Soon after this trial, however, this boat was also laid aside, on account, as alleged, of its washing and injuring the banks of the Canal. Mr Symington took out a patent for steam-boats in the same year, and he has the undoubted merit of being the first person who applied the power of the steam-engine to produce motion in vessels.

Mr Robert Fulton, a native of Pennsylvania, and an engineer of the United States, whose attention had been for some time directed to the subject, inspected the vessel of Lord Dundas before it was laid up. He also made a trip in it with Mr Symington in 1802, along part of the canal, and, with the acuteness and forethought by which he was so much distinguished, was very particular in his examination of all its parts. Upon this occasion, the steam-boat went over 8 miles in one hour and twenty minutes.

In 1803, when Mr Fulton was at Paris with Chancellor Livingston, he constructed, in company

with that gentleman, a steam-boat upon the Seine, which, after some mishaps, was tried and found to have very little velocity, owing to the defects of the apparatus. Mr Fulton perceived the cause of this failure, and, with his usual sagacity, at once devised the remedy, by addressing himself to Messrs Boulton and Watt, first by letter, and afterwards in person. This was in 1804. He requested them to make for him a steam-engine to be applied to the propelling of a vessel by paddle wheels on the sides, which was to be used in the United States; stating his conviction, that all former attempts had failed chiefly from the badness of the machinery, though he considered the confined waters in which the trials had been made to be also unfavourable. Against the difficulties arising from bad machinery, he expected to be secured by directing his application to such skilful workmen; and he judged, with equal knowledge of the subject, that the wide rivers of America presented a field quite unobjectionable for the action of steam-boats.

The principal parts of the engine were made, accordingly, and forwarded early in 1805; the planning and execution of the subordinate parts, as well as of the connecting and paddle machinery, having been undertaken by Mr Fulton himself. He built a vessel from his designs at New York, called the Clermont, and having erected the en-

gine on board of her, the first trial was made in the spring of 1807, and being eminently successful, the vessel was soon afterwards established as a regular steam-packet between New York and Albany. The admiration which this grand experiment excited, and which is so graphically described by Mr Fulton's accomplished biographer, Mr Colden, led to the construction of various other steam vessels upon the different waters of the United States and in Canada.*

There can be no doubt, therefore, that Fulton is entitled to the unqualified praise of having been the first man to bring steam navigation into real use. His predecessors, Mr Symington and others, paved the way, it is true; but so did Newcomen in the case of Watt, whose merit, as the inventor of the modern steam-engine, no one denies. That of Fulton, as the contriver of the present steamboat, rests nearly on the same grounds.

Steam-boat navigation has made rapid strides in America since the period alluded to, chiefly on the great rivers. The rise and progress of the invention, as applied to sea-going vessels, is not uninteresting. Mr Henry Bell of Glasgow—who had seen the steam vessel upon the Clyde in 1802—became acquainted with Mr Fulton, with

* Life of Fulton, by his Friend Cadwallader D. Colden, p. 168. New York, 1817.

whom he subsequently corresponded. In 1811, he built a steam-boat upon the Clyde, called the Comet. In this boat, which he fitted up with a steam-engine and paddle wheels of his own manufactory, he began to ply between Glasgow and Greenock in January, 1812.

This was speedily followed by other steam vessels upon the Clyde. In 1813, a boat, called the Prince of Orange, was fitted with two steam-engines by Messrs Boulton and Watt, with the cranks working at right angles to each other, by which the power was equalised throughout the stroke, according to an original idea of Mr Watt when he first devised their application to rotative purposes. This construction, which, it may be observed, is attended with the additional advantage of giving a double security, has often proved of eminent utility in sea-going vessels.

Two steam-boats proceeded from the Clyde to the Thames in 1815; one through the Forth and Clyde Canal to Leith, and thence along the east coast,—the other round the Land's end, under the direction of the late Mr George Dodds. These, I believe, may be considered the first successful attempts at sea navigation by steam.

CHAPTER XVIII.

We took up our quarters at Baltimore, on the 20th of December, 1827, in one of the largest hotels I ever saw. Here we engaged a sitting-parlour for ourselves, a luxury to which we had long been strangers. By agreeing to pay an additional sum, we had our meals also alone, an advantage which can rarely be purchased in America—never, I may say, out of the great cities—and not always even there, without more trouble than pleasure. At Baltimore, the charge was five dollars for us, one for the maid, besides a dollar for the fires in two rooms,—in all seven dollars, or about thirty-one shillings a-day. For this we got every thing very comfortably arranged, except the attendance, which would have been excellent too, had not the unhappy black boy, Cato, who waited upon us, been required, he told us, to serve more than ten other rooms; so that the odds were generally about a

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down to one against his answering correctly any given bell of the suite.

At Philadelphia, I ought to have mentioned before, we were lodged in a delightful boarding-house, where the average expense of our whole party was a little less than five dollars, or about twenty-one shillings a-day. We never were so well accommodated anywhere else in the United States. It is true, we had to take our meals at the public table, and at stated hours,—breakfast at half-past eight—dinner at three—tea at six, and supper at nine or ten. But every thing was so clean, and well-ordered, attendance included, that we really had nothing to wish for.

How far the very agreeable party which we had the good fortune to meet with, contributed to make our stay pleasant, I cannot say; but certainly we shall ever look back to our residence at Philadelphia with sincere pleasure.

The letters of introduction which we carried to Baltimore soon brought us into the heart of the agreeable and intelligent society of that place. For my share, I was beyond measure relieved by finding that it was not the custom of the place to cram down our throats their institutions, their town, their bay, their liberty, their intelligence, and so forth. On the contrary, all was rational and moderate praise, and fair play in these matters

It was also quite a comfort to learn how little was to be seen in the way of sights. Perhaps I ought to be ashamed to say so; but there is a limit to the exertions of travellers as well as of other people; and what I saw at the great cities of Boston, New York, and Philadelphia, had so completely satiated me with institutions, jails, schools, and hospitals, that it was comfortable to find oneself in the midst of a pleasant circle of people who left such things to make their own impression, and were not eternally reproaching their guests with wilful neglect of their city, when all the while their poor bodies and souls were worn out in trying to do it justice.

Within the good city of Baltimore, however, is contained one of the greatest wonders of the whole country, and one of the most remarkable men I ever saw,—Mr Charles Carroll of Carrollton, the only survivor of those bold revolutionary statesmen who signed the Declaration of Independence fifty-three years ago. Mr Carroll, when we saw him, was in his ninety-first year, in which circumstance, indeed, there is nothing remarkable; but what was truly astonishing, was the entire possession which this excellent veteran retained of all his faculties, not only of mind, but of body. His speech, sight, and hearing, were still perfect; and while all his thoughts were fresh and elastic,

his step was so vigorous that not a symptom of decay could be traced about him.

I heard Mr Carroll say that Baltimore, which now contains seventy thousand inhabitants, was a village of only seven houses, within his memory! Of late years, however, it has come nearly to a stand still, in consequence of events over which, I much fear, the inhabitants have no control. During the long period of the late European war, this city flourished, like some others in America, under the neutral flag. It was a place of much greater consequence, too, before the New York canal drained off from the interior of the country, much of that export trade which the capital and the industry of the citizens of Baltimore had long turned to such profitable account. The peace, which brought the full weight of Continental as well as English resources into the open field of competition, gradually lessened the importance of Baltimore, Boston, and Philadelphia, and of many other places in America, which cannot boast, like New York, of enjoying peculiar local advantages, that promise to flourish and improve under all political changes. The proximate causes of the declension of Baltimore, therefore, are not only the alteration of the times consequent upon the general peace, but the much higher commercial facilities existing at the two great ports of New York and New

Orleans. The harbour of New York, it may be mentioned, is at all times accessible for merchant ships, while the climate is nearly always healthy. It is also connected, during a great part of the year, with the interior States, and the Lakes of Canada, by numerous rivers and canals, which as yet have no rivals any where on that continent. In the South, again, the steam navigation of the Mississippi, the Ohio, the Missouri, and fifty other gigantic streams, has rendered the communication with New Orleans a matter so expeditious and economical, that, in spite of its noxious climate, the produce of the interior will probably always find it a place of deposit in the highest degree advantageous.

There are projects afloat, however, for restoring this lost balance to Philadelphia and Baltimore, and of regaining some portion of the profits derived from supplying the western country with goods, and of drawing off its produce. This, it is hoped, may be accomplished by means of a railroad from Baltimore on the Chesapeake, and a canal from Philadelphia on the Delaware, both striking the Ohio, over the Alleghany mountains.

If the mouth of the Mississippi could be dammed up, or the harbour of New York be demolished, there might be some chance for the resuscitation of the intermediate seaports; but, in the

meantime, I suspect, both Philadelphia and Baltimore must be contented to enjoy their local, but comparatively limited advantages, without attempting to rival those great emporiums. The natural obstacles which stand in the way of any direct communication between the western country and the coast are so numerous and formidable, that I fully believe, if the proposed canal from Philadelphia to Pittsburgh, which stands at the point where the confluence of the Monongahela and the Alleghany forms the commencement of the Ohio river, or the rail-road from Baltimore to Wheeling, on the left bank of the same magnificent stream, could be laid down free of expense, the transit of goods upon them would not do much more than defray the cost of keeping them in repair.

I shall be well pleased to find that I am in error, because I should be sorry to see so much energy and good capital wasted. Nationally speaking, the success or failure of these projects is a matter of perfect indifference, both at home and abroad; for the very same sources of prosperity will exist by whatever channels the produce of industry finds its way to the ocean, and the readiest means of profiting by them will inevitably be found out. The sections of country in which these attempts are made to force nature to bend to the

purposes of man, against her will, may perhaps suffer deeply by such rashness; but the rest of the nation will look on and profit all the more cheerfully by their failure—if such it prove—just as the rival canal and rail-road companies do in England and elsewhere, though in the end the public generally derive benefit from most of these overwrought competitions.

Very different, indeed, are the hopes of the Americans themselves, as will be seen by the following extract from a printed paper, in which one of these projects is gravely spoken of as if actually finished. The habit of amplification is here carried to a considerable height; for this enterprise, though not commenced at that time, is put by the writer, with the greatest ease and complacency imaginable, before all the successful and completed works of the rest of the world, which are made to sink into insignificance before undertakings which may, at some future time, possibly, be accomplished in America!

"The canals of France, Holland, and England," says this writer, "dwindle to mere nothing in comparison, when we think of the lofty Alleghany Mountain yielding its wood-covered summit, wrapped in clouds, or opening its rocky bosom, enriched with minerals, to the enterprise of a free

people, opening a highway to the great valley of the West!"

Generally speaking, however, we found the society of Baltimore more reasonable upon all matters relating to their country than the inhabitants of most of the cities we had previously visited. They appeared, I thought, to be better acquainted with the manners of the rest of the world, and to have learnt, that overpraising their own things was not the most effectual method of establishing a favourable impression on the mind of a stranger; and that the best way, after telling him every thing openly and fairly, was, to leave him to form his own conclusions and make the proper allowances. Indeed, I hold myself particularly fortunate in having made the acquaintance of several gentlemen at Baltimore, from whose candid and manly suggestions I continued to derive, throughout all the journey, the greatest assistance.

In company with one of these gentlemen, of whose friendship I shall always be proud, and by whose advice I have often profited, I visited the jail, and penitentiary, and the insane institution. Every one of these establishments appeared to be strongly marked with the effects of that active desire to contribute to the wants of the wretched, which we met with in all parts of America, but in no place more conspicuously than in Baltimore.

Upon another day I examined the alms-house, in company with one of the Directors, and I do not know when I have seen any such institution managed with more skill. The difficulty of regulating a poor-house in any country is, I believe, considerable; but in America it is probably even greater than elsewhere, from the movable state of the society, the desultory and improvident habits of the great mass of the population, and the fluctuating nature of the public responsibilities, incident to the systematic 'rotation of office' already described, which appears to extend to every department, municipal as well as political.

I give the following passage from an official Report of a Committee of the guardians of the poor of Philadelphia, appointed to enquire into the systems adopted in that city for the relief of the poor, as it points out, with great good sense and knowledge, the evils which beset this very difficult question even in a land of plenty, and comparatively scanty population.

"That we have been prosecuting a career of error is sufficiently obvious; and the natural consequence is, a co-extensive increase of misery and profligacy, of idleness and crime. The incentives to industry have been weakened, the ties which connect society relaxed, and the desire of honest independence lessened, amongst that class of the

community to whom honesty, industry, and sobriety are peculiarly indispensable.

"The manner in which charity is too often administered affords encouragement to idleness, intemperance, and improvidence. The idle will beg in preference to working, if relief is extended to them without suitable discrimination.

"Our climate indicates the necessity of forecast; and if the winter comes upon them, and they are cut off from labour, they have a resource in the charity of individuals; and if not, they can obtain relief by application to the overseers of the poor."

The following statement on the same subject, extracted from the Report of the Trustees of the alms-house for Baltimore city and county, 1827, carries with it a degree of fearful interest, which ought to make every lover of his country look about him.

"In a country where the means of obtaining a comfortable subsistence are so abundant as in this community, and where labour is at the same time so amply rewarded, and so wholly unencumbered by taxation or any kind of burden, it must naturally excite astonishment, that there should be found so large a mass of poverty as is concentrated in the alms-house of Baltimore city and county; and when we consider that this mass is constantly augmenting, both in magnitude and de-

pravity, it surely becomes a matter of serious importance to investigate the causes which have led, and are still leading, to this melancholy exhibition of human suffering and demoralization.

"The trustees, deeply impressed with the responsibility which, from their situation, necessarily devolves upon them, have thought it their duty to take measures to enquire into these causes; and they now lay before the Mayor and City Council the result of their investigation, which will be seen on reference to the accompanying document.

"By this it appears, that of the 623 adult persons admitted into the alms-house during the year ending April 1826, five hundred and fifty-four were positively ascertained to have been reduced to the necessity of being placed there by drunkenness."

Independently of the important information we derived from viewing these institutions, some of which were very well conducted, the agreeable companionship we were fortunate enough to enlist in our service, would have marked out the few days we spent at Baltimore as amongst the most instructive, as well as the most pleasing, which we passed in the United States.

But it was not always in America that we had the satisfaction of falling in with persons who, like our considerate Baltimore friends, were willing to

let us see things as they really were, or who showed no uneasiness when the naked truth happened to come before us. In order to give an idea of this unhappy spirit, I may mention that a gentleman once asked me which of two routes I meant to follow? When I told him, he said, thoughtfully, "I am sorry for that—very sorry."

"Why so?"

"Because," said he, "all that part of the country is so bad."

"Do you mean the roads?"

"O no, they are good enough; but by going in that direction, you will see an ugly part of the country, and consequently be disposed to draw unfavourable conclusions as to the beauty of our State."

"Yes, that may be,—but if the impression is a fair one, why should I not do so? What does it matter?"

"Ay, that's true," he observed; "but then I want you to see only the best parts of our country, and I really wish you would oblige me by going round by the route I shall give you."

"I am afraid," I replied, "the country for once must take its chance. Many parts which we have come to are good, some are bad; these must all be jumbled together, and a fair mean taken. Besides, it is the people I want to see, and for this reason

I intend going in the direction I first spoke of, in order to see another of the State legislatures in session."

"Oh, for any sake," exclaimed my friend, who by this time was in the high fever of nationality, —"oh, I beg and entreat of you not to do that!"

"Why not?—why should not I see what certainly must be characteristic of the country?"

"Because,"—and here he lowered his voice,— "because these said legislators, whom you think of visiting, are really no great things; and, I fear, they will not leave on your mind a favourable impression of our country."

"Are they not, however," I asked, "the men who regulate all your affairs, who make the laws, who are chosen by the people, and who, in fact, exercise the supreme authority of the State?"

"Yes, they certainly do all that you say—they certainly are the sovereigns de facto."

"Then, if so," I retorted—beginning to feel a little nettled at this double-refined sensitiveness— "I cannot but think they are very proper persons for a traveller to see. I presume, also, the legislature in question is not inferior to those of the other States. I have already seen that of New York, and I wish to compare it with others."

"O, there again," he called out, "I could have wished you had left that legislature alone, for we

do not by any means consider it a favourable specimen of our country."

"Upon my word," I cried, "I must say this is very hard! You are constantly blaming us travellers for taking a superficial view of your country, and yet the very moment we pretend to go thoroughly into any subject, you are up in arms, and would have us look at one side of the picture only. You ask us for our opinions, but if they be given with sincerity, what is their reception? Within this last half hour, I have heard you, and the other gentlemen present, abuse your legislature, your roads, the face of your country, and even this overwhelming tendency to democracy, besides half a dozen other evils; and yet, if any stranger were to insinuate one-tenth part so much, you would say he did you injustice—that he travelled too quickly—that he did not make proper allowances—and that he did not understand your character!"

They all laughed at my taking the matter so seriously, but admitted there was some justice in what I said. They begged, however, that I would, at all events, stay long enough to arrive at the right explanation of these apparent anomalies, which, they assured me, were all easily explained by persons who understood the true nature of their institutions.

One day, when walking through the streets of Baltimore, my eye was caught with the following title-page of a book stuck in a shop window :— "The American Chesterfield, or Way to Wealth, Honour, and Distinction, &c. &c., with alterations and additions, suited to the youth of the United States. By a member of the Philadelphia bar." The work in question I found to contain, besides an abridgement of Lord Chesterfield's Letters, "A chapter addressed to the Americans."

I should probably not have ventured to touch on these delicate topics, had it not been for this casual opportunity of quoting the words of a witness who must be supposed impartial.

"The foregoing instructions," says the writer, "were originally written for the improvement of a European. The editor of this work takes the liberty of adding a few remarks, addressed particularly to the young gentlemen of the United States.

"As there is no nation that does not exhibit something peculiar in its manners worthy of commendation, so there is none in which something peculiar cannot be observed that demands reproof. Should an American gentleman, during a visit to Europe, be seen chewing tobacco, it matters not what may be his dress, or his letters of introduction, he will immediately be set down as a low-

bred mechanic, or at best, as the master of a merchantvessel. No gentleman in Europe ever smokes, except it be occasionally, by way of frolic; but no person, except one of the very lowest of the working classes, is ever seen to chew.

"The practice of chewing leads to that most ungentlemanly and abominable habit of spitting upon the floor, and into the fire. No floor in the United States, however clean,—no carpet, however beautiful and costly,—no fire-grate, however bright,—not even our places of divine worship, are free from this detestable pollution. A person who is guilty of so unpardonable a violation of decorum and outrage against the decencies of polished life, should be excluded from the parlour, and allowed to approach no nearer than the hall-door steps. When in a house, and a person has occasion to spit, it should be into one's pocket handkerchief, but never upon the floor, or into the fire. The meanest and the rudest clown in Europe is never known to be guilty of such an indecorum; and such a thing as a spitting-box is never seen there, except in a common tavern.

"There is another habit, peculiar to the United States, and from which even some females, who class themselves as ladies, are not entirely free; that of lolling back, balanced, upon the two hind-legs of a chair. Such a breach of good-breeding

is never committed in Europe. Lolling is carried even so far in America, that it is not uncommon to see attorneys lay their feet upon the council table; and the clerks and judges, theirs also upon their desks, in open court. But, low-bred and disgusting as is this practice, how much more reprehensible is it, in places of a still greater solemnity of character! How must the feelings of a truly religious and devout man be wounded, when he sees the legs extended, in the same indecent posture, in the house of God!

"Another violation of decorum, confined chiefly to taverns and boarding-houses of an ordinary class, is that of reaching across a table, or across three or four persons sitting next to him, who wishes for some particular dish. This is not only vulgar, but inconvenient. It is a sure sign of having been accustomed to low company, and should be avoided by every one who is ambitious of being thought a gentleman. The nasty practice of carving with one's own knife and fork, and of using one's own knife or spoon when wanting salt or sugar, does not call less loudly for amendment; but cannot always be dispensed with, unless the mistress of the house will be careful in performing her duty, by seeing that the table is fully provided with such things as a decent table requires."*

* The American Chesterfield, p. 201. Philadelphia, 1827.

Upon these statements I have only to observe, that while I bear testimony to their too great fidelity, I think it right to state, that I never saw the slightest indecency of the kind above alluded to, or of any other kind, in an American church; on the contrary, there always appeared to me the most remarkable decorum in every place of worship which I entered in that country. Neither did it ever fall in my way to see an American Judge in the strange attitude above referred to; but I have seen many a legislator extended in the manner described by the American Chesterfield,—a posture of affairs, by the way, which, by bringing the heels on a level with, or rather higher than, the head, affords not a bad illustration of the principle as well as the practice of Democracy.

CHAPTER XIX.

I HAVE as yet said nothing of one of the most important branches of government,—the Judicial Department, or, to use a convenient American word, the Judiciary. But as there is perhaps none which is calculated, sooner or later, to have so direct an effect on the happiness of a nation, I feel it right to state what has been the result of my observations in America upon this subject.

The Executive and Legislative branches of the general government, or the President and the Congress, as distinguished from the government of the particular States, have already been described. There is, in like manner, a General, or, as it is called, a Federal Judiciary—a Supreme Law Court of the United States, which holds one term annually, at Washington. Its judges also make circuits through the States, for the purpose of deciding those causes which come within the jurisdiction of their Court alone. The judges of this Supreme

Court are appointed by the President and Senate, and hold their offices for life, that is to say, during good behaviour—there being no limit on account of age, as in several of the individual States. They also receive for their services a salary, or, as it is called, a compensation, which cannot be diminished during their continuance in office.

"The judicial power of the Supreme Court of the United States extends to all cases in law and equity arising under the constitution, the laws, and treaties of the Union,—to all cases affecting ambassadors and other public ministers and consuls,—to all cases of admiralty and maritime jurisdiction,—to controversies to which the United States is a party,—to controversies between two or more States,—to controversies between a State when plaintiff, and the citizens of another State, or foreign citizens or subjects,—to controversies between citizens of different States, and between citizens of the same State, claiming lands under grants of different States, and between a State, or citizens thereof, and foreign States, or between citizens and foreigners."*

All suits which do not fall under these heads, come within the jurisdiction of the law courts of the separate States.

* Kent's Commentaries, vol. I. p. 277.

The Supreme Court of the United States consists of a Chief Justice and six associate justices. It holds one term annually, at the seat of government. The Union includes seven great circuits, and in each district of these circuits, two courts are held annually by one of the judges of the Supreme Court, and the district judge of that district.*

These district courts are vested with certain powers analogous to those of the Supreme Court at Washington, some of which they exercise in concurrence with the courts of the several States; and some without such concurrent jurisdiction. For instance, they have exclusive original cognizance of all civil causes of admiralty and maritime jurisdiction, of seizures under impost, navigation or trade laws of the United States, where the seizures are made on the high seas.

But it would occupy too much space, and require much more technical knowledge than I possess, to make these distinctions intelligible to professional men, while to others they would not be interesting.

The Supreme Court of the United States is virtually the interpreter of the written Constitution, since it belongs to them to decide in disputed cases what is the true construction of that instrument.

* Kent, vol. I. p. 302.

As this is a very important and peculiar feature in the American government, I shall quote the words of Chancellor Kent on the subject.

"The people of the United States have declared the Constitution to be the supreme law of the land, and it is entitled to universal and implicit obedience. Every act of Congress, and every act of the legislatures of the States, and every part of the Constitution of any State, which is repugnant to the Constitution of the United States, is necessarily void. This is a clear and settled principle of constitutional jurisprudence. The judicial power of the Union is declared to extend to *all cases* of law and equity arising under the Constitution; and to the judicial power it belongs, whenever a case is judicially before it, to determine what is the law of the land. The determination of the Supreme Court must be final and conclusive, because the Constitution gives to that tribunal the power to decide, and gives no appeal from the decision."*

Upon another occasion, the same author states this point still more distinctly. "It has accordingly become a settled principle in the legal polity of this country, that it belongs to the judicial power, as a matter of right and duty, to declare every act of the legislature made in violation of

* Kent, vol. I. p. 293.

the Constitution, or any provision of it, null and void."*

I need hardly say that innumerable disputes have arisen, as to the extent of these powers, between the different States and the Supreme Court, but for the reasons already mentioned, I refrain from attempting to describe such technical points.

Each State in the Union has a separate Judiciary, consisting of a Supreme court and various inferior courts. In some of the States these are very numerous. In the United States courts, the judges, as I have mentioned above, are named by the President, under the approbation of the Senate. In the different States, various methods obtain of appointing these officers. In four of the States, they are nominated by the governor and council; in five by the governor alone; in one by the governor and senate, and in eight they are elected by the legislature. In all these eighteen instances, the judges hold their offices during good behaviour.

In two States, the judges are elected annually by the legislature; in two others by the legislature for seven years; in one they are appointed by the governor for seven years, and in one State —Georgia—the judges of the superior court are elected by the people at large for three years, and

* Kent, vol. I. p. 422.

those of the inferior courts annually. The judges are liable to be removed in most of the States by impeachment, but in some they may be dismissed by the governor, on the address of two-thirds of the legislature. In one of the States, no judge can sit on the bench after he is sixty years of age; in two of the States, the age of retirement is sixty-five; and in three, it is fixed at seventy. In the other nineteen, there is no limitation.

The popular nature of these appointments, taken along with other circumstances inherent in the very nature of a democracy, has an effect on the independence of the Judiciary in the United States, which it is important to consider attentively, for there is probably no element in the formation of civil society, which—both by its action and reaction—so directly influences the virtue and the freedom, and consequently the prosperity of a nation, as the administration of justice.

In America, the judges have a great variety of difficulties to contend with, some arising out of the uncertain state of the laws, some out of the form of government, and some out of the peculiar habits of the society.

Antecedent to the separation of the Colonies, the Common Law of England prevailed in America, with no further modification than was absolutely necessary to make it suitable to the difference of

circumstances in the two countries. The points in dispute, between the Mother Country and the Colonies, were considered by the colonists as infractions of the Common Law; and accordingly, when the separation took place, the Common Law was claimed unanimously by the Americans as their birthright.

But since the Revolution, great changes have been introduced. Previous to that event, the Constitution and the Common Law were almost convertible terms. But in the republics which were formed out of the Colonies, written constitutions were established in place of the old traditions, decisions, customs, and parliamentary enactments which had formerly combined to form the constitutional law under which they lived. The Common Law, indeed, is still referred to for the interpretation of passages in their written constitutions and statutes, which have borrowed its phraseology; but it is no longer looked to as the source of constitutional authority.

The learned Mr Du Ponceau of Philadelphia, in his work "On Jurisdiction," has these words: "The Common Law, therefore, is to be considered in the United States in no other light than as a system of jurisprudence, venerable, indeed, for its antiquity, valuable for the principles of freedom which it inculcates, and justly dear to us for the

benefits that we have received from it; but still, in the happier state to which the Revolution has raised us, it is *a system of Jurisprudence*, and nothing more. It is no longer the source of power or jurisdiction, but the means or instrument through which it is exercised. Therefore, whatever meaning the words Common Law jurisdiction may have in England, with us they have none: in our legal phraseology, they may be said to be insensible."*

For some time after the Revolution, there was a certain degree of adherence to English precedents; "perhaps from the vain wish," says Mr Du Ponceau, "to introduce by that means uniformity throughout the Union." This was felt, however, and complained of by the people, and the consequence was, that some of the States—as Pennsylvania, Ohio, and New Jersey—prohibited by law the citing of British authorities posterior to the Revolution. "This," continues Mr Du Ponceau, "was applying the axe to the root of the tree; it was an ill-judged and inefficient remedy, but at the same time a solemn warning to judges, and an indication of the manner in which the people wished the law to be administered, giving

* A Dissertation on the Nature and Extent of the Jurisdiction of the Courts of the United States. By P. S. Du Ponceau. LL.D Philadelphia, 1824.

them to understand, that the spirit of our own statute-books, our national feelings, opinions, habits, manners, and customs, were as much to be taken into consideration in their decisions, as the letter of the English law."*

"The doctrine," continues the same author, "that statutes altering the Common Law, are to be construed strictly, has, I believe, been carried so far as in some cases to counteract the views of our legislatures, and the principle which they meant to establish.

"This evil," he adds, "is gradually correcting itself, and the common law appears more and more dignified with *American features*. It is observed with pleasure, that the opinions of Mr Chief Justice Marshall are more generally founded upon principle than upon authority."†

I have extracted these passages merely for the purpose of showing, on good authority, what is the general feeling on this subject. There is, indeed, in all parts of the United States, on this and every other matter, a great reluctance to being guided by authority of any kind; and, in this spirit, even their ablest jurists are much more disposed than we are in England, to rely upon principles rather than decisions. The collective wisdom of

* Du Ponceau, Preface, p. xxiii.

† Ibid. p. xxiv.

ages on these subjects, accordingly, goes for little with them, in opposition to what appears right and proper at the moment. In this, however, it is important to remark, these gentlemen merely follow the general sentiment of the country. The legislatures of the different States are completely under the influence of this popular dictation; it is quite natural, therefore, that, when the essential principle which bound the Common Law together, and gave it nearly all its value—I mean its dependence on myriads of antecedent authorities—was once loosened, the elements of which it was composed should be scattered abroad. The effect of this singular experiment in the science of jurisprudence is so ably described by the learned author whom I have lately quoted, that I take the liberty of giving it in his own words.

"Those who wish to see uniformity of jurisprudence in the widely-extended Union, ought to remember, that nothing is uniform but sound principles, and that false theories and false logic lead inevitably to contradictory decisions. In England there is, in fact, but one great judicature sitting at Westminster Hall. Although divided into different tribunals, the same spirit pervades them all, and, in important cases, the twelve judges meet together to decide. Above them is the House of Lords, whose judgments are final and conclusive.

Here we have, on the contrary, twenty-four different supreme judicatures, with a countless number of inferior tribunals, dispersed over an immense extent of territory. Beyond them, there is no authority whose decisions are binding in all cases. The supreme court of the United States is limited in its jurisdiction and powers, and, except in certain matters of national concern, State judges do not conceive themselves bound to conform to their opinions. In short, there is no Polar star to direct our uncertain wanderings. We must either tacitly submit to receive the law from a foreign country, by adopting the opinions of the English judges, however they may vary from our own, or even from those which they formerly entertained, or we must find some expedient to preserve our national independence; and at the same time to prevent our national law from falling into that state of confusion which will inevitably follow from the discordant judgments of so many co-ordinate judicial authorities. Already the evil is felt in a considerable degree; it will be more so in process of time, and it is to be feared that in the course of fifty years, the chaos will become inextricable, unless a speedy remedy is applied.

"The only remedy that I can think of," continues this eloquent writer, "is to encourage the

study of general jurisprudence, and of the eternal and immutable principles of right and wrong." *

I very much fear that the existence of the evil of which my learned friend, in common with every intelligent person I met with in America, appears to be perfectly sensible, has a far deeper source than they ascribe to it. I suspect it lies so closely imbedded in the very structure of their political society, that it cannot possibly be reached by the studies he alludes to, or indeed by any thing short of one of those great moral convulsions which, from time to time, rend nations to pieces, and teach their citizens how dangerous a thing it is to place their own wisdom in opposition to that of past ages.

The framers of the American Constitution, who deemed it of primary importance to establish, as far as possible, the independence of the Judiciary, succeeded in part by securing to the judges in the Federal courts, the permanence in office for life, or during good behaviour. In the greater number of the State Constitutions, as I have already mentioned, the same rule obtains. But many persons in that country doubt whether this goes far towards the establishment of real independence. Some even think that so permanent an appointment is inconsistent with institutions of so popular a character

* Du Ponceau, p. 127.

as those of America; while others fear that both in a legal and practical sense, but especially in a practical sense, this independence must finally be broken down.

The theory of judicial independence, in a country where there are two conflicting and opposite powers—that of the crown on one hand, and that of the people on the other, is not only a most efficient one, but also a safe one to trust to. This branch of the government is essentially helpless in itself; but as it has the advantage of giving the sanction of the laws to that power on whose side it is found, it has also the advantage of receiving from the same power, the protection that it stands in need of from the opposite side. It is sustained, therefore, as in England, in its middle position by the contrary forces of the government—a position in which probably will be found the perfection of legal administration.

Every thing in America—it cannot be too often repeated—is, without any exception—decidedly popular. Even the theory of an Executive, capable of holding the people in check, does not belong to their system, as a principle of government, while their whole practice is directly the reverse. The executive, and both branches of the legislature, in the general as well as the State governments, as I have already endeavoured to show, are thoroughly

democratic; they are actually so much a part of the people, that even for the brief period of their nominal authority, they have no real influence. Thus, in America, all the power is on one side, and so things must remain; for there is no authority whatsoever to counterbalance the overwhelming weight of the people at large, or even to check them in their career.

Upon any occasion, then, of popular excitement, extending to the legislature, as such excitements almost always do—and I may say must inevitably do, where the elections are so very frequent, and the suffrage universal—if inroads are made upon the Constitution—what are the Judiciary to do? Their duty, it is true, is very clear; but if they should proceed straight forward in the path which it directs, they would soon find themselves in opposition to the great power of the nation, without any sustaining force on the other side to help them. The judges in America, it will be recollected, are the interpreters of the written Constitution; but how can they be expected to read its clauses in a sense different from that laid down by the sovereign people? Judges are but men, and it is utterly out of nature to expect them to stem such a torrent single-handed, even supposing them not to be infected by the prevalent sentiment, which, on the contrary, it is a hundred to one they must be, or even without considering the popular nature of

their appointment, and the total absence of support from any other class.

The embarrassments arising from this disagreement between the letter of the law, and the wishes of the people, might be so great, that it is not improbable the judges would try to prevent a recurrence of them, even if the people did not, by endeavouring to modify the Constitution itself—in order that their decisions might square better with the popular voice. Some changes, from other causes, have already been made in the Constitution of the United States; while those of the separate States have nearly all of them been subjected to alterations. Nothing, therefore, can be more directly contrary to fact, than calling the written Constitutions of the American States, fixed instruments —since they are, in point of fact, every way fluctuating and uncertain.

It must be acknowledged, however, that so far as matters have yet gone, the Federal Judiciary have maintained their ground; and, with safety and effect, have declared several laws of the different States to be unconstitutional and void. But their greatest trial, and one to which they are liable to be exposed at any moment, would be the consideration of a law of Congress, passed in conformity with the will of the people, on some subject of high public interest—such as that of the Tariff—the

great Slave question—or the rights of the different States in their sovereign capacity.

How far the pre-eminent talents and high character of the present venerable Chief Justice of the Supreme Court of the United States, have contributed to keep things steady, in the quarter where stability is most important, it would be presumptuous in a stranger to say. But I venture to prophesy, that his successor will have a still more troublesome task to perform.

It is probable, that the gradual encroachments which the spirit of democracy has been making on the independence of the Judiciary, can be distinctly visible only to the eye of an observer long resident in the country. Nevertheless, when a fact of this nature really does exist, and to a great extent over a whole nation, its effects may easily come within the range of a traveller's ears, if not of his eyes; and as my attention was early awakened to it during my journey in America, I lost no opportunity of investigating the subject as closely as I could, in every quarter. The most striking evidences of the advance of this tide of popular interference with the independence of the bench, may, as I understand, be seen in the increased apprehensiveness, on the part of the judges, to meet what are called constitutional questions,—in the vast latitude which the judges in some States have consented to give

their legislatures, to the extent of actually denying that they—the Judiciary—are competent to declare a law unconstitutional,—in the actual change of Constitutions to get rid of obnoxious laws, and obnoxious judges,—in the excitement of terror by popular commotions,—by accusations,—impeachments, and the like.

The problem, therefore, of the independence of the American Judiciary remains yet to be solved—if, indeed, the answer be not already given in the negative. But what an extraordinary feature will it not be in the government of a country, to have the judges avowedly subject to the popular voice! Even with perfect independence in the Judiciary—supposing that could be obtained—but without submission on the part of the people to the decisions of the bench, where would be the sanctions of the law? And if, on the other hand, there be no independence in the judges, will not the law necessarily fluctuate about with the voice of the populace—proverbially unsteady? And if so, what possible security can there be of property and person?

In discussing this question in the United States, I was desired to recollect, that a people and their laws act and react upon each other, and that as America is still in its infancy, during which its system of government is subject to many changes, the Constitution and laws may, in the end, act more

upon the people than the people do upon them, and thus a Judiciary practically, as well as theoretically independent, may be found to administer the laws of that country. That such are the hopes of many reflecting and patriotic men in America, I was rejoiced to find; but I regret, with all my heart, that I cannot join in them—simply because I saw no analogy in any thing else in the United States to justify such expectations.

The radical principles of bringing justice home to every man's door, and of making the administration of it cheap, have had a full experiment in America; and greater practical curses, I venture to say, were never inflicted upon any country.

The State of Pennsylvania will serve as a good example, because it is eminently democratic, and has been called, par excellence, the key-stone of the republican arch. There they have done away with nearly all the technicalities of the law—there are no stamps—no special pleadings—and scarcely any one is so poor that he cannot go to law. The consequence is, a scene of litigation from morning to night. Lawyers, of course, abound every where, as no village containing above two or three hundred inhabitants, is without one or more. No person, be his situation or conduct in life what it may, is free from the never ending pest of lawsuits. Servants, labourers, every one, in short, on the

first occasion, hies off to the neighbouring lawyer or justice of the peace, to commence an action. No compromise or accommodation is ever dreamt of. The law must decide every thing! The life of persons in easy circumstances is thus rendered miserable; and the poor man, led on by the hope of gain—by an infectious spirit of litigation—or by revenge, is prevented from employing his time usefully to himself and to the community, and generally ends by being a loser. The lawyer's fees are fixed at a low rate, but the passion for litigating a point increases with indulgence to such a degree, that these victims of cheap justice—or rather of cheap law—seldom stop while they have a dollar left.

The operation of the much-vaunted principle, just alluded to, of bringing justice home to every man's door, is in most cases equally mischievous. It leads to the endless establishment of new courts, swarms of lawyers, and crowds of litigants. Thus, on a spot where the population increases, and it is found a hardship to go twenty or thirty miles for the pleasure of a lawsuit, a new county town must forthwith be erected more at hand, with all its accompaniments of judges, clerks of court, marshals, and so forth. I have heard of a bad road being used as an argument before the legislature, to obtain the establishment of a new county town. As

the population increases further on, these towns must be again multiplied or removed, and thus continual expense, and the endless appointment of new judges goes on.

In a society composed of such loose materials, as the active, roving population of America, it is almost impossible, except at the great cities, to find men of education and high character to fill these judicial situations. I may here remark, that, with the exception of one State—Virginia—the justices of the peace are every where paid by fees from the clients. In fact, it would be impossible to get men in that country, where the property is so much divided—and where all men are so busy, to do this or any other duty gratis. One of the greatest and most substantial blessings of England, therefore—its unpaid magistracy—has no existence in America; neither can it be expected to exist there for a long time to come—never, indeed, unless some great changes be made in the structure of society in that country.

I have not been able to obtain any very exact returns of the number of judges in the United States, but it is certainly enormous in its extent. I was greatly astonished to hear, that in Pennsylvania alone there are upwards of a hundred judges who preside on the bench; besides several thousands of justices of the peace, who take cognizance

of all suits not exceeding one hundred dollars in amount. The number of persons, therefore, who administer justice in America, probably exceeds that of their army and navy! And, upon the whole, I suspect justice will be found much dearer there than any where else in the world. At all events, nothing can possibly compensate for the boundless spirit of litigation, which, conjointly with that of electioneering, keeps the country in constant hot water from end to end.

The salaries of the judges, in consequence of their great number, are necessarily so small, that no first-rate lawyer can afford to take the appointment. I know of several barristers, every way fitted to do honour to the bench, who have positively refused to accept office. Consequently these very important stations are filled by a totally different class of men—many of whom, undoubtedly, are very excellent persons, but some of them, likewise, are quite unsuited for such duties. When the popular mode of appointing the judges in the different States is recollected, either by the governors or by the legislatures, who are themselves changed annually, it will be at once perceived that the democratic principle of reducing all things to one level, must, as a matter of course, very often bring the choice far down in the scale. Electioneering predilections and antipathies, too, both past and prospective, and the eager pursuit of office—which pre-

vails to an extravagant extent—will come into play here, as they do, unfortunately, in every thing else.

It is a curious feature in the American Judicial system, that in many of the States—Pennsylvania amongst others—the bench is composed of one judge who is a lawyer, and of two others who are not lawyers, called associate judges. These men are selected from the county in which they reside and hold their court. They are generally farmers —not, however, like the English gentleman-farmer, for such characters do not exist, and cannot exist, in any part of the United States—they are men who follow the plough. They seldom, as I am informed, say a word on the bench. This singular system has been adopted, because the people thought it was necessary there should be two persons, taken from among themselves, to control the President or Law Judge. These associate judges are paid two hundred dollars per annum, or about L.45.

An appeal lies from the courts below to the Supreme Court, on points of law; and, as the proceedings in this, as in every other part of the suit, are cheap, these appeals are almost invariably made when the case is of any importance. The law renders it imperative on the judge to charge the jury on any points of law which either party may require. Sometimes each party will insist upon the judge charging the jury upon twenty or thirty points. Then exceptions to the charges follow,

and thus an endless source of delay and fresh litigation is opened up.

In some of the States there is a regular and distinct Court of Chancery; in others, as in Pennsylvania, the courts of law are vested with Chancery jurisdiction, with the power to grant divorces for legal causes. In extraordinary cases, divorces—which in some of the States are numerous—may be granted by the legislature.

The circumstance already adverted to, of the Supreme Court of each State having the right to declare the acts of its own particular legislature unconstitutional, and that of the Supreme Court of the United States having the right to declare the acts of the legislature of any State, as well as those of Congress, or the Federal legislature, unconstitutional, and consequently invalid, is a peculiarity in the American system worthy of particular attention, as, I believe, it is the only instance of the Judiciary in any country being placed above every other branch of the government. What would be the result of this arrangement, if the Judiciary could be rendered effectually independent, it is very difficult to say; though, perhaps, it may be about as difficult to predict what will be the effect now, when that independence seems to be next to impossible.

The Supreme Court of the United States, however, in the exercise of this authority, have re-

peatedly declared acts of the different States unconstitutional; but they have not yet, as far as I know, declared any act of the general government to be so. It is perhaps in consequence of this interference with the enactments of the States, and their non-interference with those of Congress, that many persons in America look upon that Court with great jealousy, from an idea that it has a disposition to augment the power of the general government, or has a tendency towards what is termed 'consolidation,' at the expense of the sovereignty of the individual States.

Sooner or later, however, as already hinted, such formidable questions as the duties on imported goods—the extinction of Indian claims—appropriations of public money for internal improvements—and many other questions involving what are called State rights, will force the Supreme Court to interfere. But what the result will be, time alone can show.

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EDINBURGH:
PRINTED BY JOHN STARK,
Old Assembly Close.

IRAL BOOKBINDING CO.
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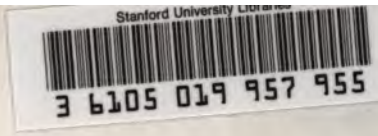

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